

**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

**DECLARATION OF SHAUNA  
HOLMAN-HARRIES IN  
SUPPORT OF DEFENDANT  
ORACLE AMERICA, INC.'S  
MOTION FOR SUMMARY  
JUDGMENT OR, IN THE  
ALTERNATIVE, FOR PARTIAL  
SUMMARY JUDGMENT**

HOLMAN-HARRIES DECLARATION ISO ORACLE'S MOTION FOR SUMMARY JUDGMENT

**Exhibit P-272**

CASE NO. 2017-OFC-00006

I, Shauna Holman-Harries, declare as follows:

1. I am Oracle America, Inc. (“Oracle”)’s Director of Diversity Compliance. I make this declaration in support of Oracle’s Motion For Summary Judgment Or, In The Alternative, For Partial Summary Judgment. I have personal knowledge of the facts set forth herein, except where stated on information and belief. If sworn as a witness, I could competently testify to the facts set forth below.

2. On September 24, 2014, OFCCP initiated a compliance evaluation of Oracle’s headquarters location at Redwood Shores, California (“HQCA”) by sending Oracle its standard Scheduling Letter and Itemizing Listing, which requested that Oracle provide its Executive Order Affirmative Action Program (“AAP”). Attached hereto as **Exhibit A** is a true and correct copy of the Scheduling Letter and Itemized Listing addressed to Oracle from OFCCP, dated September 24, 2014.

3. OFCCP’s compliance evaluation of Oracle’s HQCA location continued until OFCCP sent Oracle a Notice of Violation on March 11, 2016. Attached as **Exhibit B** is OFCCP’s March 11, 2016 Notice of Violation (“NOV”) to Oracle. Oracle was still working on collecting data and documents responsive to OFCCP’s requests when the NOV was issued without a Predetermination Notice or any other warning.

4. Attached hereto as **Exhibit C** are true and correct copies of four emails I sent to Hea Jung Atkins on October 28, 2014, which responded to OFCCP’s Scheduling Letter and Itemized Listing and contained multiple attachments, including Oracle’s written Executive Order 11246 Affirmative Action Plan (although the attachments are not included with this exhibit).

5. Attached hereto as **Exhibit D** is a true and correct copy of a letter from Hoan Luong at OFCCP, which was emailed to me on November 19, 2014, and which contains OFCCP’s first request for documents following the requests contained in its Itemized Listing, including a request for all of Oracle’s self-audits and pay equity studies.

6. Attached hereto as **Exhibit E** is a true and correct copy of an email exchange between me and Hoan Luong at OFCCP dated November 19, 2014 through December 11, 2014, which includes a December 1, 2014 email from me in which I acknowledge receipt of his November 19, 2014 email and caution OFCCP that, in light of 23 open OFCCP audits of Oracle at the same time, the magnitude of the request, and the practical complexity of pulling and formatting the requested data from various sources, Oracle would need up to three weeks to respond. I also informed OFCCP that some of the requested information was not maintained in a database and would take months for us to acquire. In the same email chain, on December 11, 2014, I provided to OFCCP a spreadsheet containing 54 separate columns of information on the HQCA workforce using a January 1, 2014 snapshot date (although the spreadsheet is not included with this exhibit) and confirmed additional information would be forthcoming.

7. Attached hereto as **Exhibit F** is a true and correct copy of a December 15, 2014 email I sent to Hoan Luong at OFCCP updating and adding data to the spreadsheet I produced on December 11, 2014 (although the spreadsheets containing such data are not included with this exhibit).

8. Attached hereto as **Exhibit G** is a true and correct copy of an email exchange between me and Min-Chih Yeh (also known as Jennifer Yeh) between January 22 and January 29, 2015 in which OFCCP requested additional documents in 18 categories for *all* U.S. Oracle facilities. On January 26, 2015, I requested a Word document listing the requests, but OFCCP ignored the request and instead asked for a status update on January 29, 2015.

9. Attached hereto as **Exhibit H** is a true and correct copy of an email exchange between me and Brian Mikel between February 6 and February 9, 2015, which includes a February 6, 2015 email expanding OFCCP's request to 102 column headings to be compiled in a single spreadsheet by location for six locations—five of which were outside the Redwood Shores headquarters. I informed OFCCP that this request would take Oracle months to compile, require searching multiple sources, and require looking up information one-by-one.

10. Attached hereto as **Exhibit I** is a true and correct copy of an email from Brian Mikel at OFCCP to me, which I received on or around February 11, 2015, requesting 99 column headers to be compiled into a spreadsheet and attaching an interview statement (although the statement is not included with this exhibit).

11. In early March 2015, Brian Mikel of OFCCP contacted me by telephone regarding certain “indicators” allegedly revealed in OFCCP’s desk audit of the data provided. Attached hereto as **Exhibit J** is a true and correct copy of the March 9-13, 2015 email chain between me and Mr. Mikel that follow that call.

12. OFCCP conducted an on-site evaluation at HQCA on March 24-27, 2015. I attended and participated in that on-site. On the last day of that on-site investigation, Mr. Mikel of OFCCP briefly spoke with me. He did not relay any findings (general or otherwise) from the investigation and made only vague reference to hiring and compensation information having “stood out.”

13. Attached hereto as **Exhibit K** is a true and correct copy of correspondence Hea Jung Atkins sent to me on April 27, 2015 and forwarded to me again on May 11, 2015 (the May 11, 2015 email included the April 27, 2015 letter as an attachment, but the April 27, 2015 letter is included only once in this exhibit), in which OFCCP requested voluminous information in eleven categories, including a request for personnel action and compensation information for all employees and student interns, the dates of any internal pay equity analysis conducted during the past three years, the dataset used for that analysis, and any actions taken as a result of the analysis.

14. Attached hereto as **Exhibit L** is a true and correct copy of an email I sent to Hea Jung Atkins on May 14, 2015 noting the huge amount of data requested. My original email to Ms. Atkins included several responsive attachments, including an Excel spreadsheet and multiple image files (although the attachments are not included with this exhibit), and noted that Oracle was in the process of gathering further responsive information. My email further explained that

some of the requested information would be difficult to compile and that some of the requests were not clear.

15. Attached hereto as **Exhibit M** is a true and correct copy of an email I sent to Hoan Luong at OFCCP on June 2, 2015 in which I detailed what Oracle does to comply with 41 C.F.R. § 60-2.17, explained that pay equity at Oracle, which ensures fairness and consistency among or between cohorts, is an ongoing process and integral part of Oracle's evaluation of its compensation systems, and explained that pay audits to assess Oracle's legal compliance with its non-discrimination obligations and further ensure Oracle's compensation policies and practices are conducted by our outside EEO compliance counsel.

16. Attached hereto as **Exhibit N** is a true and correct copy of an email I sent to Hea Jung Atkins on June 16, 2015 attaching an Excel spreadsheet (although the Excel spreadsheet is not included with this exhibit) in response to OFCCP's February requests, explaining ongoing difficulties in pulling the requested information, and noting that certain requests such as starting salary in current position might require manual look ups one-by-one and take a number of months.

17. OFCCP requested, and Oracle agreed to, a follow-up on-site evaluation at HQCA from June 22-25, 2015. I attended and participated in that on-site. Attached hereto as **Exhibit O** is a true and correct copy of a July 2, 2015 email I sent to OFCCP following that on-site, noting that no one conducted an exit conference at the close of this second on-site and requesting an exit conference as soon as possible so that Oracle could learn of any concerns or issues OFCCP had identified.

18. Attached hereto as **Exhibit P** is a true and correct copy of an email I received on the evening of July 2, 2015 from Hea-Jung Atkins of OFCCP stating that OFCCP was "not prepared to conduct an exit conference at this time," but providing assurance that OFCCP would "schedule an exit conference at the conclusion of [its] offsite analysis."

19. To my knowledge, no exit conference ever occurred following the June 2015 follow-up on-site. I exchanged extensive additional correspondence with OFCCP, and provided additional documents and data, over the course of the following year.

20. Attached hereto as **Exhibit Q** is a true and correct copy of an email exchange between me, Hea Jung Atkins and Hoan Luong between August 26 and August 28, 2015, which included several attachments related to data requests (although the attachments are not included with this exhibit). In response to OFCCP's August 26, 2015 email requesting, for the first time, wage information for a snapshot date of January 1, 2013 and OFCCP's August 28, 2015 email adding 16 additional data fields that it wanted included in the January 1, 2013 snapshot, I explained in an email dated August 28, 2015 that OFCCP's July 30, 2015 letter had been sent to Oracle's outside counsel instead of directly to Oracle and had gotten blocked by a spam filter, so Oracle did not receive the request until August 26, 2015. My August 28, 2015 email also explained the enormity of OFCCP's request and informed OFCCP that Oracle would provide the information as soon as reasonably possible, given all of OFCCP's other outstanding requests.

21. Attached hereto as **Exhibit R** is a true and correct copy of a 29-part email series I sent to Hoan Luong on October 29, 2015 attaching large amounts of compensation data and documents, and detailing Oracle's efforts to comply with OFCCP's numerous requests for information, including information that had already been provided, the difficulty in extracting certain requested information not maintained in the database, the unavailability of certain requested information to Oracle, and how extremely burdensome and time consuming it would be to respond to OFCCP's substantial new requests propounded on October 14, 2015. Though my original emails contained a number of attachments (as indicated by each cover email), none of those attachments are included in the attached exhibit. In the same email, I also asked OFCCP to clarify the meaning of certain requests, such as "any other 'relevant compensation and factors,'" and, as for the request in Item 4 for "[e]mployee personal actions containing job and salary information and history for all employees," I asked OFCCP to explain what further information it

needed and identify any specific issues or persons about whom it had concern. I never received a response from OFCCP to several of the questions posed in my October 29, 2015 email, including the questions posed as to Item 4.

22. Attached hereto as **Exhibit S** is a true and correct copy of a letter from Robert Doles at OFCCP to me, which I received from OFCCP on November 2, 2015 and which identified data and documents that OFCCP claims were not provided.

23. Attached hereto as **Exhibit T** is a true and correct copy of an email exchange between me and Hoan Luong between November 2 and November 3, 2015, which contained an email from me on November 2, 2015 noting that Mr. Doles must have been unaware that we had responded to OFCCP's requests on October 29, 2015 and requesting confirmation of receipt. In response to Hoan Luong's three-line reply stating that Oracle's 29 emails sent on October 29, 2015 "were neither complete nor accurate responses to our data requests referenced in our letter issued this morning," I responded on November 3, 2015 expressing my confusion with his reply and again noting Oracle's October 29, 2015 submission. I never received a response to the November 3 email in this exchange.

24. Attached hereto as **Exhibit U** is a true and correct copy of an email I sent to Robert Doles on November 6, 2015 informing him that Oracle's October 29, 2015 production was responsive to his letter and asking him to let Oracle know if OFCCP still had concerns after reviewing. I never received a response to this November 6 email.

25. Between the letter from Mr. Doles dated November 2, 2015 (Exhibit S) and the NOV dated March 11, 2016 (Exhibit B), the issue of OFCCP's request for compensation data with a snapshot date of January 1, 2013 was not addressed by me or by OFCCP.

26. Prior to March 2016, I had asked OFCCP on multiple occasions to explain its claim that it had found "indicators" of discrimination, or to identify specific "concerns" about particular aspects of Oracle's recruiting, hiring, or compensation practices. In addition to the correspondence

detailed above, true and correct copies of my emails to OFCCP on this topic dated February 27, 2015 and December 17, 2015 are collected and attached hereto as **Exhibit V**.

27. Attached hereto as **Exhibit W** is a true and correct copy of a March 15-16, 2016 email chain between me and OFCCP staff, in which I state that Oracle is looking forward to resolving the NOV, and in which OFCCP requests, for the first time, a position statement from Oracle and states that, after Oracle sends a position statement, conciliation discussions can be initiated.

28. Attached hereto as **Exhibit X** is a true and correct copy of a March 18 and March 29, 2016 email chain between me and OFCCP staff, along with the attachment to OFCCP's March 29, 2016 email, in which I again request details underlying OFCCP's statistical analysis, explain the difficulty in providing a position statement without knowing the indicators, note the burden of responding to multiple OFCCP evaluations at once, and request a meeting to discuss Oracle's questions and concerns about OFCCP's timing. In OFCCP's response on March 29, 2016, OFCCP incorrectly states that an exit conference took place on March 27, 2015 and again ignores my request for indicators.

29. At no point did Oracle refuse to produce to OFCCP a compensation "snapshot" for 2013 containing fields of data requested by OFCCP, data showing personnel actions providing job and history information, non-privileged data or documents regarding its activities to comply with 41 C.F.R. 60-2.17 to evaluate its compensation systems, or any data or documents that are part of Oracle's AAP.

30. OFCCP never brought a right of access case against Oracle before filing the present enforcement action.

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31. Attached hereto as **Exhibit Y** is a true and correct copy of the Notice to Show Cause (“SCN”) issued by OFCCP to Oracle on June 8, 2016 and without OFCCP having responded substantively to my questions or providing the information sought to enable Oracle to effectively respond to OFCCP’s requests.

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

Executed in Gilbert, AZ on September 18, 2019.

  
Shauna Holman-Harries

# EXHIBIT A

U.S. Department of Labor

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



SEP 24 2014

OMB NO. 1250-0003  
Expires 09/30/2014

VIA CERTIFIED MAIL  
7001 0320 0004 6350 4953  
RETURN RECEIPT REQUESTED

Top Onsite Official  
Oracle America Inc.  
500 Oracle Parkway  
Redwood Shore, CA 94065

Dear Top Onsite Official:

The U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP) has selected your establishment located at 500 Oracle Parkway Redwood Shore, California for a compliance review under Executive Order 11246, as amended, Section 503 of the Rehabilitation Act of 1973, as amended, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, and their implementing regulations at 41 CFR Chapter 60. In addition, the review will include an examination of your establishment's compliance with the Federal Contractor Veterans' Employment Report (VETS-100) requirements (38 U.S.C. 4212(d)).

OFCCP will conduct the compliance review as described in the regulations at 41 CFR 60-1.20(a)(1) and 60-250.60(a)(1), 60-300.60, and 60-741.60, which outline the three possible phases of the process. These phases may include a desk audit, an onsite review, and an offsite analysis.

For the desk audit, please submit the following information: (1) a copy of your Executive Order Affirmative Action Program (AAP) prepared according to the requirements of 41 CFR 60-1.40 and 60-2.1 through 60-2.17\*; (2) a copy of your Section 503/38 U.S.C. 4212 AAP(s) prepared according to the requirements of 41 CFR Parts 60-741 and 41 CFR Parts 60-250 and/or 60-300, respectively; and (3) the support data specified in the enclosed Itemized Listing.

OFCCP will treat the information you submit in response to this letter as sensitive and confidential to the maximum extent permitted under the Freedom of Information Act.

The findings OFCCP makes during the desk audit generally will determine whether an onsite review will be necessary, and if so, whether the onsite review will focus on one, two, or several issues. If an onsite review is necessary, we will notify you.

You should note that 41 CFR 60-2.2 authorizes the initiation of enforcement proceedings if the materials you submit for desk audit do not represent a reasonable effort\* to meet the requirements of the regulations.

Please submit your AAPs and the support data specified in the enclosed Itemized Listing to the address listed on page one of this letter as

soon as possible, but no later than 30 days from the date of your receipt of this letter. We encourage you to submit as much information as possible in electronic format as doing so may reduce the amount of time it takes to complete our review.

If you have any questions concerning the compliance review, please feel free to contact Hea Jung Atkins, District Director, Greater San Francisco/Bay District Office at 415-625-7829.

Sincerely,



Hea Jung Atkins  
District Director

Enclosure: Itemized Listing

**\*See Itemized Listing, "NOTE 1."**

**NOTE:** The authority for requesting the following information is Executive Order (EO) 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended; and the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), as amended, 38 U.S.C. 4212. The information will be used in the compliance evaluation process. Furnishing the requested information is required. Failure to furnish the requested information may constitute noncompliance with the contractor's obligations per the above authorities.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1250-0003. The time required to complete this information collection is estimated to average 28.35 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send any comments concerning this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Federal Contract Compliance Programs, Room C-3325, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

ITEMIZED LISTING

NOTE 1: The Executive Order AAP submission must demonstrate a reasonable effort to comply with 41 CFR Part 60-2. To do so, at a minimum, you must submit the following elements.

Both the AAP and support data are essential to conduct the desk audit phase of the compliance review. If any of the following information is computerized, you may submit it in an electronic format.

Executive Order AAP:

1. An organizational profile prepared according to 41 CFR 60-2.11.
2. The formation of job groups (covering all jobs) consistent with criteria given in 41 CFR 60-2.12;
3. For each job group, a statement of the percentage of minority and female incumbents, as described in 41 CFR 60-2.13;
4. For each job group, a determination of minority and female availability that considers the factors given in 41 CFR 60-2.14(c)(1) and (2);
5. For each job group, the comparison of incumbency to availability, as explained in 41 CFR 60-2.15.
6. Placement goals for each job group in which the percentage of minorities or women employed is less than would be reasonably expected given their availability, consistent with 41 CFR 60-2.16.

Support Data

7. A copy of your Employer Information Report EEO-1 (Standard Form 100 Rev., see 41 CFR 60-1.7) for the last three years.
8. A copy of your collective bargaining agreement(s), if applicable. Please also include any other information you have already prepared that would assist us in understanding your employee mobility system(s), e.g., promotion, etc.
9. Information on your affirmative action goals for the preceding AAP year and, where applicable (see below), progress on your goals for the current AAP year. See 41 CFR 60-1.12(b), -2.1(c) and -2.16.

ITEMIZED LISTING (continued)

- 2 -

For the preceding AAP year, this report must include information that reflects:

- (a) job group representation at the start of the AAP year, (i.e., total incumbents, total minority incumbents, and total female incumbents);
- (b) the percentage placement rates (% goals) established for minorities and/or women at the start of the AAP year; and
- (c) the actual number of placements (hires plus promotions) made during the AAP year into each job group with goals (i.e., total placements, total minority placements, and total female placements). For goals not attained, describe the specific good faith efforts made to achieve them.

If you are six months or more into your AAP year on the date you receive this listing, please also submit information that reflects progress on goals established in your current AAP, and describe your implementation of action-oriented programs designed to achieve these goals (see 41 CFR 60-2.17(c)).

10. Data on your employment activity (applicants, hires, promotions, and terminations) for the preceding AAP year and, if you are six months or more into your current AAP year when you receive this listing, for the current AAP year. These data must be presented either by job group (as defined in your AAP) or by job title (see 41 CFR 60-3.4 and 3.15).
  - a. Applicants and Hires: The regulations at 41 CFR 60-2.17(b) and (d) require an analysis of your selection process, including whether the process eliminates a significantly higher percentage of minorities or women than nonminorities or men.

For each job group or job title, this analysis must consist of the total number of applicants and the total number of hires, as well as the number of minority and the number of female applicants and hires.

However, if some of your job groups or titles (most commonly, entry-level) are filled from the same applicant pool, you may consolidate your applicant data (but not hiring data) for those job groups or titles.

For example, where applicants expressly apply for or would qualify for a broad spectrum of jobs (such as "Production," "Office," etc.) that includes several job groups, you may consolidate applicant data.

ITEMIZED LISTING (continued)

- 3 -

- b. Promotions: The regulations at 41 CFR 60-2.17(b) and (d) require an analysis of your promotion practices to determine if upward mobility of minority or female employees is occurring at a lesser rate (compared to workforce mix) than nonminority or male employees.

For each job group or job title, this analysis must consist of the total number of promotions, as well as the number of minority and the number of female promotions.

Please note that:

- (1) If you present promotions by job group, indicate how your company defines promotions and the basis on which the data were compiled (e.g., promotions to the job group, from and/or within the job group, etc.), or
- (2) If you present promotions by job title, include the department and job group from which and to which the person(s) was promoted.

- c. Terminations: The regulations at 41 CFR 60-2.17(b) and (d) require an evaluation of the degree to which nondiscrimination policy is carried out with respect to employee terminations.

For each job group or job title, this analysis must consist of the total number of employee terminations, as well as the number of minority and the number of female terminations.

Please note that if you present terminations by job title, include the department and job group from which the person(s) terminated.

11. Please provide annualized compensation data (wages, salaries, commissions, and bonuses) by either salary range, rate, grade, or level showing total number of employees\*\* by race and gender and total compensation by race and gender. Present these data in the manner most consistent with your current compensation system. If you maintain the information in electronic format, please submit in that format. See 41 CFR 60-1.4(a)(1). You may also include any other information you have already prepared that would assist us in understanding your compensation system(s). Alternatively, under the voluntary guidelines for self-evaluation of compensation practices, 71 Fed. Reg. 35114 (June 16, 2006), you have the option of seeking compliance coordination. If you so choose, you need not submit the annualized compensation data outlined in Item 11. However, you must notify OFCCP that you "seek compliance coordination under the voluntary OFCCP compensation self-evaluation guidelines."

\*\*For this purpose, the method used to determine employee totals by the contractor should be the same as that used to determine employee totals in the organizational profile for the AAP.

# EXHIBIT B

U.S. Department of Labor

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



March 11, 2016

**VIA CERTIFIED MAIL,  
7015 0640 0001 2393 5541  
(RETURN RECEIPT REQUESTED)**

Safra A. Catz  
Mark Hurd  
Chief Executive Officers  
ORACLE America, Inc.  
500 Oracle Parkway  
Redwood Shores, CA 94065

**RE: COMPLIANCE EVALUATION OF ORACLE AMERICA, INC.,  
REDWOOD SHORES, CALIFORNIA; OFCCP NO. R00192699**

Dear Ms. Catz and Mr. Hurd:

The United States Department of Labor ("DOL"), Office of Federal Contract Compliance Programs ("OFCCP"), is conducting a compliance evaluation of ORACLE America, Inc. ("ORACLE") in Redwood Shores, California pursuant to 41 Code of Federal Regulations ("C.F.R.") Chapter 60: Executive Order 11246, as amended ("E.O. 11246"); Section 503 of the Rehabilitation Act of 1973, as amended ("Section 503"); and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended ("VEVRAA").

OFCCP found that ORACLE violated E.O. 11246. Consequently, OFCCP is issuing this Notice of Violations to ORACLE. ORACLE's violations, and the corrective actions required to remedy them, are set forth below.

**HIRING DISCRIMINATION (VIOLATION 1)**

**1. VIOLATION:**

During the review period from January 1, 2013 through June 30, 2014, ORACLE discriminated against qualified African American, Hispanic and White (hereinafter "non-Asians") applicants in favor of Asian applicants, particularly Asian Indians, based upon race in its recruiting and hiring practices for Professional Technical 1, Individual Contributor ("PT1") roles, in violation of 41 C.F.R. 60-1.4(a)(1).

Specifically, during the period of January 1, 2013 through June 30, 2014, ORACLE recruited approximately 6800 applicants to PT1 roles. Of those applicants, ORACLE recruited 2% African

Americans, 2.5% Hispanics, 19% Whites and 76% Asian applicants. Of the Asian applicants, Asian Indians were nearly 70% of Asian applicants and over 50% of all applicants in PT1.<sup>1</sup>

An analysis of ORACLE's applicant data and appropriate workforce availability statistics<sup>2</sup> show that ORACLE favored Asian applicants, particularly Asian Indians, in recruiting at a standard deviation as significant as +85. ORACLE disfavored non-Asian applicants in recruiting, particularly African American, Hispanic and White applicants, at standard deviations as significant as -8, -10, and -80, respectively.

Additionally, during the period of January 1, 2013 through June 30, 2014, ORACLE hired approximately 670 applicants into PT1 roles. Of those hires, ORACLE hired 1% African Americans, 2% Hispanics, 14% Whites, and 82% Asian applicants. Of the Asian hires, Asian Indians were nearly 60% of Asian hires and 45% of all hires in PT1.

An analysis of ORACLE's hiring data and appropriate workforce availability statistics<sup>3</sup> show that ORACLE favored Asian applicants, particularly Asian Indians, in hiring at a standard deviation as significant as +30. ORACLE disfavored non-Asian applicants in hiring, particularly African American, Hispanic and White applicants, at standard deviations as significant as -4, -3, and -28, respectively.

Evidence gathered during the compliance evaluation demonstrates that ORACLE's discriminatory recruiting and hiring practices skewed the racial composition of the applicant flow data to favor Asians, particularly Asian Indians, and disfavored other racial groups for PT1 roles. In order to further analyze ORACLE's recruitment and hiring practices for PT1 roles, OFCCP made multiple requests to ORACLE for copies of all application materials for all expressions of interest, including but not limited to names of hiring managers, employee referrals, requisition dates, hire dates, and copies of job postings and job requirements. Because ORACLE failed to provide complete and accurate information in response to OFCCP's multiple requests, OFCCP presumes that the information not produced would have been unfavorable to ORACLE.

Based upon the analysis conducted and the evidence gathered during the compliance evaluation, OFCCP finds that ORACLE recruited, selected and hired Asian applicants, particularly Asian Indians, for PT1 roles at a rate significantly greater than their non-Asian counterparts who were equally or more qualified for the roles. ORACLE's recruiting and hiring practices resulted in unlawful discrimination against non-Asian applicants based upon race, particularly African American, Hispanic and White applicants.

<sup>1</sup> Asian Indians make-up less than 1% of the U.S. population. *Asians in the U.S. labor force: profile of a diverse population*, U.S. DOL, Bureau of Labor Statistics, Monthly Labor Review, November 2011, <http://www.bls.gov/opub/mlr/2011/11/art1full.pdf>.

<sup>2</sup> Availability statistics for the Software Developers, Applications & Systems Software Occupation in the United States is based upon 2006-2010 Census and/or 2013-2014 DOL, Bureau of Labor Statistics' Labor Force Statistics.

<sup>3</sup> See footnote 2.

**CORRECTIVE ACTION:**

ORACLE must agree to revise its personnel practices and procedures to ensure that the qualified non-Asian applicants for the PT1 roles are afforded equal employment opportunity for recruitment and selection. ORACLE must also agree to provide the following "make-whole relief" to the non-Asian applicants.

- a) **Notice:** Send notification to the class members to inform them of their rights and the potential remedies.
- b) **Job Offer:** Make bona-fide job offers on a priority basis at the rate of pay that class members would now be earning had ORACLE hired them on the date of the first opportunity following their application.
- c) **Monetary Settlement:** Provide back pay plus quarterly compounded interest at the IRS underpayment rate for the class members. Back pay will be calculated from the date class members should have been hired to the date the violation is resolved in a signed Conciliation Agreement or a bona fide job offer is made to the respective class members. Provide any and all employment benefits that the class members would have received had it not been for the discrimination described above; and
- d) **Policies and Training:** Develop recruitment and hiring policies that comply with Executive Order 11246, as amended, and its implementing regulations; provide mandatory training on the policies to supervisory, management and recruitment professionals involved in ORACLE's recruitment and selection process; and evaluate performance and compensation of supervisory, management and recruitment professionals based upon compliance with the policies.

**COMPENSATION DISCRIMINATION (VIOLATIONS 2-5)**

**2. VIOLATION:**

Beginning no later than January 1, 2013, and continuing thereafter, ORACLE discriminated against female employees in Information Technology, Product Development, and Support roles based upon sex by paying them less than comparable males employed in similar roles, in violation of 41 C.F.R. 60-1.4(a)(1).<sup>4</sup>

During the compliance review, OFCCP reviewed employment policies, practices, and records; interviewed management, human resources, and non-management employees; examined employee complaints; analyzed individual employee compensation data and other evidence; and conducted an onsite inspection of the worksite. Based upon the evidence gathered during the compliance review,

<sup>4</sup> ORACLE refused to provide OFCCP with complete compensation data for all relevant employees, including contract and contingent employees, for the full review period. ORACLE also did not provide any data demonstrating that its continuing compensation disparities have been remedied. Accordingly, OFCCP presumes such data would be unfavorable to ORACLE.

OFCCP evaluated and analyzed ORACLE's compensation system and, through regression and other analysis, found statistically significant pay disparities based upon sex after controlling for legitimate explanatory factors. The results of OFCCP's regression analyses are attached. (Attachment A).

Based upon the analysis conducted and the evidence gathered during the compliance evaluation, OFCCP finds that ORACLE paid male employees in Information Technology, Product Development, and Support roles at a rate significantly greater than their female counterparts who were equally or more qualified. ORACLE's compensation practices resulted in unlawful discrimination against female employees based upon sex.

**CORRECTIVE ACTION:**

ORACLE must agree to take steps to ensure that its compensation system is nondiscriminatory to all of its employees, regardless of sex. This applies to all aspects of compensation, including but not limited to, salary at the time of placement into roles, annual salary adjustments and incentive compensation in Information Technology, Product Development, and Support roles. ORACLE agrees to: 1) cease the discriminatory compensation practice(s) resulting in lower pay and adverse impact against females in Information Technology, Product Development, and Support roles; 2) provide make-whole remedies to the class of females to include back pay, interest, and other employment benefits; and 3) provide training to employees involved in setting and increasing compensation to ensure that the violation does not recur.

**3. VIOLATION:**

Beginning no later than January 1, 2013, and continuing thereafter, ORACLE discriminated against African Americans in Product Development roles based upon race by paying them less than comparable Whites employed in similar roles, in violation of 41 C.F.R. 60-1.4(a)(1).<sup>5</sup>

During the compliance review, OFCCP reviewed employment policies, practices, and records; interviewed management, human resources, and non-management employees; examined employee complaints; analyzed individual employee compensation data and other evidence; and conducted an onsite inspection of the worksite. Based upon the evidence gathered during the compliance review, OFCCP evaluated and analyzed ORACLE's compensation system and, through regression and other analysis, found statistically significant pay disparities based upon race after controlling for legitimate explanatory factors. The results of OFCCP's regression analysis are attached. (Attachment A).

Based upon the analysis conducted and the evidence gathered during the compliance evaluation, OFCCP finds that ORACLE paid White employees in Product Development roles at a rate significantly greater than their African American counterparts who were equally or more qualified. ORACLE's compensation practices resulted in unlawful discrimination against African American employees based upon race.

<sup>5</sup> See footnote 4.

**CORRECTIVE ACTION:**

ORACLE must agree to take steps to ensure that its compensation system is nondiscriminatory to all of its employees, regardless of race. This applies to all aspects of compensation, including but not limited to, salary at the time of placement into roles, annual salary adjustments and incentive compensation in Product Development roles. ORACLE agrees to: 1) cease the discriminatory compensation practice(s) resulting in lower pay and adverse impact against African Americans in Product Development roles; 2) provide make-whole remedies to the class of African Americans to include back pay, interest, and other employment benefits; and 3) provide training to employees involved in setting and increasing compensation to ensure that the violation does not recur.

**4. VIOLATION:**

Beginning no later than January 1, 2013, and continuing thereafter, ORACLE discriminated against Asians in Product Development roles based upon race by paying them less than comparable Whites employed in similar roles, in violation of 41 C.F.R. 60-1.4(a)(1).<sup>6</sup>

During the compliance review, OFCCP reviewed employment policies, practices, and records; interviewed management, human resources, and non-management employees; examined employee complaints; analyzed individual employee compensation data and other evidence; and conducted an onsite inspection of the worksite. Based upon the evidence gathered during the compliance review, OFCCP evaluated and analyzed ORACLE's compensation system and, through regression and other analysis, found statistically significant pay disparities based upon race after controlling for legitimate explanatory factors. The results of OFCCP's regression analysis are attached. (Attachment A).

Based upon the analysis conducted and the evidence gathered during the compliance evaluation, OFCCP finds that ORACLE paid White employees in Product Development roles at a rate significantly greater than their Asian counterparts who were equally or more qualified. ORACLE's compensation practices resulted in unlawful discrimination against Asian employees based upon race.

**CORRECTIVE ACTION:**

ORACLE must agree to take steps to ensure that its compensation system is nondiscriminatory to all of its employees, regardless of race. This applies to all aspects of compensation, including but not limited to, salary at the time of placement into roles, annual salary adjustments and incentive compensation in Product Development roles. ORACLE agrees to: 1) cease the discriminatory compensation practice(s) resulting in lower pay and adverse impact against Asians in Product Development roles; 2) provide make-whole remedies to the class of Asians to include back pay, interest, and other employment benefits; and 3) provide training to employees involved in setting and increasing compensation to ensure that the violation does not recur.

<sup>6</sup> See footnote 4.

**5. VIOLATION:**

Beginning no later than January 1, 2013, and continuing thereafter, ORACLE discriminated against Americans in Product Development and Support roles based upon national origin by paying them less than comparable non-Americans employed in similar roles, in violation of 41 C.F.R. 60-1.4(a)(1).<sup>7</sup>

During the compliance review, OFCCP reviewed employment policies, practices, and records; interviewed management, human resources, and non-management employees; examined employee complaints; analyzed individual employee compensation data and other evidence; evaluated public disclosure files and related wage determination memoranda; and conducted an onsite inspection of the worksite. Based upon the evidence gathered during the compliance review, OFCCP evaluated and analyzed ORACLE's compensation system and, through regression and other analysis, found statistically significant pay disparities based upon national origin after controlling for legitimate explanatory factors. The results of OFCCP's regression analysis are attached. (Attachment A).

Based upon the analysis conducted and the evidence gathered during the compliance evaluation, OFCCP finds that ORACLE paid non-American employees in Product Development and Support roles at a rate significantly greater than their American counterparts who were equally or more qualified. ORACLE's compensation practices resulted in unlawful discrimination against American employees based upon national origin.

**CORRECTIVE ACTION:**

ORACLE must agree to take steps to ensure that its compensation system is nondiscriminatory to all of its employees, regardless of national origin. This applies to all aspects of compensation, including but not limited to, salary at the time of placement into roles, annual salary adjustments and incentive compensation in Product Development and Support roles. ORACLE agrees to: 1) cease the discriminatory compensation practice(s) resulting in lower pay and adverse impact against Americans in Product Development and Support roles; 2) provide make-whole remedies to the class of Americans to include back pay, interest, and other employment benefits; and 3) provide training to employees involved in setting and increasing compensation to ensure that the violation does not recur.

**AFFIRMATIVE ACTION VIOLATIONS (VIOLATIONS 6-8)**

**6. VIOLATION:**

ORACLE failed to perform an in-depth analysis of its total employment processes to determine whether and where impediments to equal employment opportunity exist as required by 41 C.F.R. 60-2.17(b)(3). Specifically, ORACLE failed to identify problem areas in its compensation system(s) to determine whether sex or race based disparities existed.

---

<sup>7</sup> See footnote 4.

**CORRECTIVE ACTION:**

ORACLE must agree to perform in-depth analyses of its total employment processes to determine whether and where impediments to equal employment opportunity exist. ORACLE must agree to evaluate its compensation system(s), specifically base salary, bonus programs, starting wages, pay increases, restricted stock units (RSU) or other stock awards, promotions relative to pay, and any other benefits, to determine whether there are sex, race or national origin based pay disparities. ORACLE will incorporate these analyses and determinations into its current AAP and will update these analyses at least annually and incorporate them into future AAPs.

**7. VIOLATION:**

ORACLE failed to demonstrate good faith efforts to develop and execute action-oriented programs designed to correct pay disparities as of January 1, 2013. Specifically, ORACLE was unable to demonstrate that it had conducted any pay equity analyses, or otherwise attempted to correct the problem areas identified in 41 C.F.R. 60-2.17(b)(3) in violation of 41 C.F.R. 60-2.17(c).

**CORRECTIVE ACTION:**

ORACLE must agree to conduct an in-depth analysis of its total employment processes to determine whether any impediments to equal opportunity exist. ORACLE must then develop and implement action-oriented programs designed to remove any identified impediments and institute salary adjustment procedures to determine where and how equity adjustments should be made to ensure nondiscrimination.

**8. VIOLATION:**

ORACLE failed to develop and implement an internal audit and reporting system that periodically measured the effectiveness of its total affirmative action program as required by 41 C.F.R. 60-2.17(d). Specifically, ORACLE failed to monitor its records of all personnel activities, such as compensation, at all levels to ensure its nondiscriminatory policy was carried out.

**CORRECTIVE ACTION:**

ORACLE must agree to implement an internal audit and reporting system to periodically measure the effectiveness of its total affirmative action program. ORACLE must agree to take the following corrective actions:

- a) Monitor records of all personnel activity, such as all components of compensation, to ensure the non-discriminatory policy is enforced;
- b) Require internal reporting on a scheduled basis as to the degree to which equal employment opportunity and organizational objectives are attained;
- c) Review reports with all levels of management;

- d) Advise top management about the effectiveness of the equal employment opportunity program and submit recommendations to improve any unsatisfactory performance; and
- e) Provide training to all employees who participate in any component of ORACLE's compensation system(s).

**RECORDKEEPING AND ACCESS VIOLATIONS (VIOLATION 9-10)**

**9. VIOLATION:**

ORACLE failed to collect and maintain personnel and employment records and conduct adverse impact analyses in accordance with the requirements of 41 C.F.R. 60-1.12(a) and Part 60-3. Additionally, ORACLE failed to conduct the adverse impact analyses required by 41 C.F.R. 60-3.15A and 60-3.4.

**CORRECTIVE ACTION:**

ORACLE will ensure that its records are collected and maintained in accordance with the requirements of 41 C.F.R. 60-1.12(a) and Part 60-3. ORACLE will conduct adverse impact analyses on at least an annual basis for the purpose of determining whether adverse impact exists against applicants based on race, sex, or national origin/ethnic group in hiring, promotion, termination, and other personnel activities. These analyses will be done by job for each group constituting more than 2% of the labor force in the relevant labor area or 2% of the applicable workforce. If adverse impact is identified in the total selection process, ORACLE will evaluate each individual component of the selection process for adverse impact. If adverse impact is found to exist in any of the individual components of the selection process, ORACLE will validate each such component in accordance with the Uniform Guidelines on Employee Selection Procedures or utilize selection procedures which do not result in adverse impact.

**10. VIOLATION:**

ORACLE denied OFCCP access to records, including prior year compensation data for all employees and complete hiring data for PT1 roles during the review period of January 1, 2013 through June 30, 2014, which are relevant to the matter under investigation and pertinent to ORACLE's compliance with Executive Order 11246, as amended, and the regulatory requirements at 41 C.F.R. 60-1.12; 60-1.20; 60-1.43; 60-2.32 and 60-3.4.

**CORRECTIVE ACTION:**

ORACLE must immediately provide to OFCCP all relevant compensation and hiring data, which was requested on April 27, 2015, May 11, 2015, May 28, 2015, July 30, 2015, October 1, 2015, October 14, 2015, November 2, 2015, and December 15, 2015.

Finally, please note that nothing herein is intended to relieve ORACLE from the obligation to comply with the requirements of E.O. 11246, Section 503, and/or VEVRAA, their implementing regulations, or any other equal employment opportunity/ nondiscrimination statute, executive order or regulation. In addition, this Notice of Violation in no way limits the applicability of the revised regulations implementing Section 503, 41 C.F.R. Part 60-741 (2014) and the revised regulations implementing VEVRAA, 41 C.F.R. Part 60-300 (2014).

\*\*\*\*\*

In order to come into compliance, ORACLE must enter into a binding Conciliation Agreement with OFCCP that encompasses all of the corrective actions described above. It is our desire to avoid enforcement proceedings. You may contact me at (415) 625-7839 within five (5) business days of receipt of this letter if ORACLE would like to begin conciliation and resolution of the specified violations.

Sincerely,

  
Robert Doles  
District Director

cc: Shauna Holman-Harries (via email: [shauna.holman.harries@ORACLE.com](mailto:shauna.holman.harries@ORACLE.com))  
Director Diversity Compliance, Oracle America, Inc.  
Juana Schurman (via email: [juana.schurman@ORACLE.com](mailto:juana.schurman@ORACLE.com))  
Vice President and Associate General Counsel, Oracle America, Inc.  
Gary R. Siniscalco (via email: [grsiniscalco@orrick.com](mailto:grsiniscalco@orrick.com))  
Orrick Herrington & Sutcliffe LLP

Enclosure

**ATTACHMENT A**

**COMPENSATION DISCRIMINATION (VIOLATIONS 2-5)**

**Analysis of Employees' Annual Salary and Gender**

The United States Department of Labor, Office of Federal Contract Compliance Programs ("OFCCP") conducted statistical analysis of the employment records Oracle America, Inc. ("Oracle") provided to OFCCP during its equal employment opportunity investigation of Oracle's facility in Redwood Shores, California. OFCCP analyzed Oracle employees' compensation data by Oracle job function using a model that included the natural log of annual salary as a dependent variable, and accounted for differences in employees' gender, work experience at Oracle, work experience prior to Oracle, full-time/part-time status, exempt status, global career level, job specialty, and job title.

As displayed in the table below, the results of the analysis show a statistically significant salary disparity adverse to female employees in *Information Technology*, *Product Development*, and *Support* roles.

**Regression Analysis of Female and Male Employees'  
Salary Difference at Oracle**

Year <sup>1</sup>	Class	Number of Female Class Members	Standard Deviations
2014	Female Information Technology Employees	133	-2.71
2014	Female Product Development Employees	1,207	-8.41
2014	Female Support Employees	47	-3.67

<sup>1</sup> Oracle provided OFCCP with one year of compensation data that included Oracle employees who were employed at the relevant facility on January 1, 2014. Oracle refused to provide OFCCP with its prior year compensation data.

**Analysis of Employees' Annual Salary and Race**

The United States Department of Labor, OFCCP conducted statistical analysis of the employment records Oracle provided to OFCCP during its equal employment opportunity investigation of Oracle's facility in Redwood Shores, California. OFCCP analyzed Oracle employees' compensation data by Oracle job function using a model that included the natural log of annual salary as a dependent variable, and accounted for differences in employees' race, work experience at Oracle, work experience prior to Oracle, full-time/part-time status, exempt status, global career level, job specialty, and job title.

As displayed in the table below, the results of the analysis show a statistically significant salary disparity adverse to African American and Asian employees in *Product Development* roles.

**Regression Analysis of African American and White Employees' Salary Difference at Oracle**

Year <sup>2</sup>	Class	Number of Black Class Members	Standard Deviations
2014	African American Product Development Employees	27	-2.10

**Regression Analysis of Asian and White Employees' Salary Difference at Oracle**

Year <sup>3</sup>	Class	Number of Asian Class Members	Standard Deviations
2014	Asian Product Development Employees	3,086	-6.55

<sup>2</sup> Oracle provided OFCCP with one year of compensation data that included Oracle employees who were employed at the relevant facility on January 1, 2014. Oracle refused to provide the Agency prior year compensation data.

<sup>3</sup> Oracle provided OFCCP with one year of compensation data that included Oracle employees who were employed at the relevant facility on January 1, 2014. Oracle refused to provide the Agency prior year compensation data.

### **Analysis of Employees' Annual Salary and National Origin**

The United States Department of Labor, OFCCP conducted statistical analysis of the employment records Oracle provided to OFCCP during its equal employment opportunity investigation of Oracle's facility in Redwood Shores, California. OFCCP analyzed Oracle employees' compensation data by Oracle job function using a model that included the natural log of annual salary as a dependent variable, and accounted for differences in employees' national origin, work experience at Oracle, work experience prior to Oracle, full-time/part-time status, exempt status, global career level, job specialty, visa status, and job title.

As displayed in the table below, the results of the analysis show a statistically significant salary disparity adverse to American employees in *Product Development* and *Support* roles.

**Regression Analysis of American and Non-American Employees' Salary Difference at Oracle**

<b>Year<sup>4</sup></b>	<b>Class</b>	<b>Number of American Class Members</b>	<b>Standard Deviations</b>
2014	American Product Development Employees	3,501	-7.07
2014	American Support Employees	185	-3.65

<sup>4</sup> Oracle provided OFCCP with one year of compensation data that included Oracle employees who were employed at the relevant facility on January 1, 2014. Oracle refused to provide the Agency prior year compensation data.

# EXHIBIT C

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**From:** Shauna Holman Harries  
**To:** Atkins, Hea Jung K - OFCCP  
**CC:** Neil Bourque; Bill Couch  
**Sent:** 10/28/2014 9:32:24 PM  
**Subject:** HQCA 1 of 4  
**Attachments:** 00 2014 U.S. AAP NARRATIVE SIGNED.pdf; 01 2014 HQCA\_Work Force Analysis.pdf; 02 03 2014 HQCA\_Job Group Analysis.pdf; 04, 05 2014 Incumbency v. Availability\_HQCA ad.pdf; 06 Placement Goals 2014\_HQCA ad.pdf

Enclosed please find Oracle Corporation's 2014 Affirmative Action Plan and related materials in response to the scheduling letter we received from you in October 2014. Our entire submission is in electronic format which we have been told the OFCCP prefers. We look forward to working with you and your colleagues on this compliance review. Please note for any of our password protected files the pass code is: [REDACTED]

When reviewing the item 11 data please note the report for the combined HQCA location provides you with additional data fields for each employee. We have included the employee's job title, department, and the immediate supervisor designation. We have also included their AAP Job Group since COs frequently request it. However, placement in an AAP Job Group has no bearing on an employee's pay. Please also note that even for employees appearing in the same job title and the same job department, their work, responsibilities and duties, and employee respective skill and experience typically can vary widely. We have very few employees, or jobs, at our HQCA location where there are multiple employees doing the same or similar work with the same skill/experience. We have also included a supervisor field which helps in several ways. First, it likely means even for employees in the same department and job title, working for a different supervisor will typically denote the different line of business or product the employee is working on. Different products or lines of business typically require different skill sets.

We hope you find this additional information helpful. We are finding in other audits that Oracle's structure is quite different from many other companies and COs appear to be having difficulty in identifying who, if anyone, is similarly situated or a relevant cohort.

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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"Working to create an inclusive, diverse culture that drives innovation and business success."

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**From:** Shauna Holman Harries  
**To:** Atkins, Hea Jung K - OFCCP  
**CC:** Neil Bourque; Bill Couch  
**Sent:** 10/28/2014 9:32:40 PM  
**Subject:** HQCA 2 of 4  
**Attachments:** 07A 2012 HQCA EEO1.pdf; 07A 2013 HQCA EEO1.pdf; 07A 2014 HQCA EEO1.pdf; 07B 2012 HQCA VETS100A.pdf; 07B 2013 HQCA VETS100A.pdf; 07B 2014 HQCA VETS100A.pdf; 09 2013 HQCA Progress Made.pdf; 09 2014 Progress Made HQCA MY ad.pdf; 12 RACE KEY V2.pdf; 13 2014 HQCA REASONALBE\_Reasonable Recruitment Labor Area Distributions.pdf

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Atkins, Hea Jung K - OFCCP  
**CC:** Neil Bourque; Bill Couch  
**Sent:** 10/28/2014 9:32:49 PM  
**Subject:** HQCA 3 of 4  
**Attachments:** 10A 2013 COLLEGE APPS HIRES HQCA.xlsx; 10A 2013 APPS HIRES HQCA.xlsx; 10A 2013 PROMOTIONS HQCA.xlsx; 10A 2013 TERMINATIONS HQCA REDWOOD SHORES, CA.xlsx

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Atkins, Hea Jung K - OFCCP  
**CC:** Neil Bourque; Bill Couch  
**Sent:** 10/28/2014 9:32:56 PM  
**Subject:** HQCA 4 of 4  
**Attachments:** 10B 2014 PROMOTIONS HQCA 2014MY.xlsx; 10B 2014MY APPS AND HIRES HQCA.xlsx; 10B 2014MY COLLEGE HIRES HQCA.xlsx; 10B 2014MY TERMINATIONS HQCA.xlsx; 11 ITEM11 HQCA JAN2014.xlsx

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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# EXHIBIT D

**U.S. Department of Labor**

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



VIA ELECTRONIC MAIL

November 19, 2014

Shauna Holman-Harries  
Director of Diversity Compliance  
Oracle America, Inc.  
500 Oracle Parkway  
Redwood Shores, CA 94065

Dear Ms. Holman-Harries:

As you are aware, Oracle America, Inc. ("Oracle") located at 500 Oracle Parkway, Redwood Shores, CA 94065, was selected for a compliance evaluation by the Office of Federal Contract Compliance Programs (OFCCP). We thank you for your submission of materials to our office, and look forward to working with your company as this evaluation progresses.

The office completed a desk audit review of the compensation data submitted. The results of our analysis indicate differences in average compensation that require further investigation of Oracle's compensation practices.

While the desk audit results suggest possible indicators of compensation discrimination, the results should not be regarded as a finding of discrimination with respect to Oracle's compensation system. The desk audit analysis is only an initial screening procedure based on limited information. Therefore, in an attempt to better understand the compensation practices of Oracle, we are requesting that you provide additional data for further analysis and clarification.

For the next phase of our investigation, we are requesting that you provide the following information, for all employees in your workforce, as of the date used for the salary analysis included in your AAP:

1. Name and Employee ID number;
2. Gender;
3. Race/Ethnicity;
4. National Origin (including country of origin, domestic/foreign, visa status/type);
5. Hire Date;
6. Time in Company;
7. Time in Job;
8. Date of Birth;
9. Education (if available);
10. Leave Status (if applicable);

11. Job Title;
12. Job Group;
13. Job Family;
14. Job Function;
15. Job Subfunction;
16. Department;
17. Business Unit;
18. Organizational Unit;
19. Employee Work Location<sup>1</sup>;
20. Salary Band/Level/Grade;
21. Stock Level;
22. Base Salary;
23. Actual Bonus/Incentive Compensation Paid;
24. Who is Eligible or Ineligible for Actual Bonus/Incentive Compensation Paid;
25. Actual Equity/Compensation (including RSUs, other stock/equity awards) Paid;
26. All Other Components of Compensation Paid;
27. Actual Total Compensation;
28. Part-Time vs. Full-Time Status;
29. Exempt vs. Non-Exempt Status<sup>2</sup>;
30. Other pay allowances, if any, such as commission pay, overtime pay, bonus pay or shift differential. Report each allowance in separate data columns;
31. All factors that are considered when determining pay allowances described in #30 above;
32. Data Dictionary (i.e., explanation of all codes for all submitted data)
33. Copies of employment manual and all human resources/employment policies, including compensation policies (i.e., compensation philosophy, salary bands, incentive/bonus policy, stock plans), promotion policies, and position/job descriptions;
34. All self-audits/pay equity studies and salary surveys;

These items are critical pieces of data that OFCCP needs to further evaluate the compensation differences identified during the desk audit. Please submit the data electronically in Microsoft Excel format 2010. We also suggest that the data be submitted on a password-protected CD.

At this stage of the investigation, OFCCP's goal is to better understand Oracle's compensation practices. Therefore, if any of the items requested above are not readily available, please contact us to discuss the specifics of the situation so that the best available and informative data is provided in a timely manner. OFCCP also encourages you to submit any additional information, data, or analyses used as factors in determining employee compensation (e.g., education, shift assignment, years of job-related experience prior to joining the company, etc.) that you believe is appropriate for OFCCP to consider in determining whether to investigate further. OFCCP will take such information, data, and analyses into account when making a determination as to whether further investigation is warranted.

<sup>1</sup> If the location of an employee affects his or her compensation because of economic market conditions or actual work performed at that location, please identify the location for all employees.

<sup>2</sup> If some employees receive a uniform base hourly rate for a specific job, please identify these employees and describe their compensation system.

Should you have any questions regarding this request, or feel that we have overlooked a vital piece of information, please contact me at (415) 625-7835. Please respond to the requests set forth in this letter within five (5) business days of receipt. Thank you for your cooperation.

Sincerely,



Hoan Luong  
Senior Compliance Officer  
San Francisco District Office

# EXHIBIT E

---

**From:** Shauna Holman Harries <shauna.holman.harries@oracle.com>  
**To:** Luong, Hoan - OFCCP <Luong.Hoan@dol.gov>  
**CC:** Lida Daniel <lida.daniel@oracle.com>; Neil Bourque <neil.bourque@oracle.com>; Bill Couch <william.couch@oracle.com>  
**Sent:** 12/11/2014 8:14:47 PM  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data  
**Attachments:** 11 ITEM11 HQCA JAN2014 Extended rfi.xlsx

Hi Hoan. I am attaching a compensation spreadsheet for your HQCA compensation request. We are still waiting on two areas of information from other departments. Those two areas are stock level and leaves taken. We will add them to the spreadsheet just as soon as we get them and send them to you right away. I also want to point out that function and specialty area are the closest areas related to job family so that is why you will see them as headers instead of the traditional terms related to job family.

Oracle sells many different products. Because of the diversity in products sold at Oracle, job group or job title have little bearing on an employee's pay. Please also note that even for employees appearing in the same job group, job title and/or the same department, their work, responsibilities and duties, and employee respective skill and experience typically can vary widely. We have very few employees, or jobs, at any Oracle location where there are multiple employees doing the same or similar work with the same skill/experience. We have also included supervisor which helps in several ways. First, it likely means even for employees in the same department and job title, working for a different supervisor will typically denote the different line of business or product the employee is working on. Different products or lines of business typically require different skill sets. Please note that we do not maintain education or work experience in our database. Any collection of data of that type would take months for us to acquire through research. We do consider experience and education among many other things when determining compensation. If you can let us know any specific areas of concern you have we would be happy to conduct the necessary research to answer your questions. Also, if you would like to schedule some time with one of our compensation managers to answer your questions we would be happy to do so.

The code to open anything encrypted is the same as other documents we have sent to you.

Shauna

---

**From:** Luong, Hoan - OFCCP [mailto:Luong.Hoan@dol.gov]  
**Sent:** Monday, December 01, 2014 4:30 PM  
**To:** Shauna Holman Harries  
**Cc:** Lida Daniel; Neil Bourque; Bill Couch  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data

OFCCP management has granted an extension to submit the requested data by Tuesday, December 16, 2014.

---

**From:** Shauna Holman Harries [mailto:shauna.holman.harries@oracle.com]  
**Sent:** Monday, December 01, 2014 1:12 PM  
**To:** Luong, Hoan - OFCCP  
**Cc:** Lida Daniel; Neil Bourque; Bill Couch  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data

It's going to take us a few more weeks to collect the information as I said below. It takes a minimum of three weeks to gather the information you have requested.

---

**From:** Luong, Hoan - OFCCP [<mailto:Luong.Hoan@dol.gov>]  
**Sent:** Monday, December 01, 2014 1:04 PM  
**To:** Shauna Holman Harries  
**Cc:** Lida Daniel; Neil Bourque; Bill Couch  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data

Ms. Holman-Harries,

The OFCCP typically allow only 5 days extension, but in light of the holidays and the timing that this request was sent out along with the other reviews you are handling, please indicate how long you are requesting for an extension. I will then forward your request to OFCCP management for approval. If the extension is approved, I will notify you immediately.

Thanks,  
Hoan

---

**From:** Shauna Holman Harries [<mailto:shauna.holman.harries@oracle.com>]  
**Sent:** Monday, December 01, 2014 11:40 AM  
**To:** Luong, Hoan - OFCCP  
**Cc:** Lida Daniel; Neil Bourque; [william.couch@oracle.com](mailto:william.couch@oracle.com)  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data

Hi Hoan. I got your voice mail and we are in receipt of this request. However, we have 23 open audits with numerous requests for information that have come in. It can take up to three weeks for us to pull the compensation data that you have requested as we are reliant on other departments at Oracle for this information. After that we need a few days to put it in a format that is understandable. Please understand your request was sent after 5 on November 19. Part of the time since you submitted your request has been consumed with non-work holidays. Only five workdays have elapsed since then with some staff taking time off during those five days.

We are working on your request. It has been submitted to our IT department to pull the information you are asking for. We will get that information to you just as soon as we can. But, please understand, a request of this type typically takes **at least three weeks** to process. We wish we could get it to you sooner, but we are not able to do so.

Shauna

---

**From:** Luong, Hoan - OFCCP [<mailto:Luong.Hoan@dol.gov>]  
**Sent:** Wednesday, November 19, 2014 5:04 PM  
**To:** Shauna Holman Harries  
**Cc:** Luong, Hoan - OFCCP  
**Subject:** Oracle HQCA (Redwood Shores, CA) // request for additional pay data  
**Importance:** High

Dear Ms. Holman-Harries,

The Office of Federal Contract Compliance Programs (OFCCP) is currently reviewing the affirmative action plan that you submitted to the OFCCP on October 28, 2014. The OFCCP will need additional pay factors to evaluate Oracle's compensation practice. Enclosed with this email is a letter listing all the items that need to be submitted to OFCCP. Please provide the compensation data in Excel format.

**Please submit the requested information to OFCCP by Wednesday, November 26, 2014.**

Thank you,

*Hoan Luong*  
**Senior Compliance Officer**  
U.S. Department of Labor - OFCCP

90 7th Street, Suite 11-100  
San Francisco, CA 94103  
P: (415) 625-7835  
F: (415) 625-7844  
[Luong.Hoan@dol.gov](mailto:Luong.Hoan@dol.gov)

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# EXHIBIT F

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**From:** Shauna Holman Harries <shauna.holman.harries@oracle.com>  
**To:** Luong, Hoan - OFCCP <Luong.Hoan@dol.gov>  
**CC:** Lida Daniel <lida.daniel@oracle.com>; Neil Bourque <neil.bourque@oracle.com>; Bill Couch <william.couch@oracle.com>  
**Sent:** 12/15/2014 5:57:31 PM  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data  
**Attachments:** 11 ITEM11 HQCA JAN2014 Extended rfi with stock.xlsx; LOA HQCA RFI.xls

Hi Hoan. I am sending you the spreadsheet with stock and leave information included. I am also attaching a second spreadsheet with the dates of the leaves.

Shauna

---

**From:** Shauna Holman Harries  
**Sent:** Thursday, December 11, 2014 1:15 PM  
**To:** Luong, Hoan - OFCCP  
**Cc:** Lida Daniel; Neil Bourque; Bill Couch  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data

Hi Hoan. I am attaching a compensation spreadsheet for your HQCA compensation request. We are still waiting on two areas of information from other departments. Those two areas are stock level and leaves taken. We will add them to the spreadsheet just as soon as we get them and send them to you right away. I also want to point out that function and specialty area are the closest areas related to job family so that is why you will see them as headers instead of the traditional terms related to job family.

Oracle sells many different products. Because of the diversity in products sold at Oracle, job group or job title have little bearing on an employee's pay. Please also note that even for employees appearing in the same job group, job title and/or the same department, their work, responsibilities and duties, and employee respective skill and experience typically can vary widely. We have very few employees, or jobs, at any Oracle location where there are multiple employees doing the same or similar work with the same skill/experience.

We have also included supervisor which helps in several ways. First, it likely means even for employees in the same department and job title, working for a different supervisor will typically denote the different line of business or product the employee is working on. Different products or lines of business typically require different skill sets. Please note that we do not maintain education or work experience in our database. Any collection of data of that type would take months for us to acquire through research. We do consider experience and education among many other things when determining compensation. If you can let us know any specific areas of concern you have we would be happy to conduct the necessary research to answer your questions. Also, if you would like to schedule some time with one of our compensation managers to answer your questions we would be happy to do so.

The code to open anything encrypted is the same as other documents we have sent to you.

Shauna

---

**From:** Luong, Hoan - OFCCP [<mailto:Luong.Hoan@dol.gov>]  
**Sent:** Monday, December 01, 2014 4:30 PM  
**To:** Shauna Holman Harries  
**Cc:** Lida Daniel; Neil Bourque; Bill Couch  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data

OFCCP management has granted an extension to submit the requested data by Tuesday, December 16, 2014.

---

**From:** Shauna Holman Harries [<mailto:shauna.holman.harries@oracle.com>]  
**Sent:** Monday, December 01, 2014 1:12 PM  
**To:** Luong, Hoan - OFCCP  
**Cc:** Lida Daniel; Neil Bourque; Bill Couch  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data

It's going to take us a few more weeks to collect the information as I said below. It takes a minimum of three weeks to gather the information you have requested.

---

**From:** Luong, Hoan - OFCCP [<mailto:Luong.Hoan@dol.gov>]  
**Sent:** Monday, December 01, 2014 1:04 PM  
**To:** Shauna Holman Harries  
**Cc:** Lida Daniel; Neil Bourque; Bill Couch  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data

Ms. Holman-Harries,

The OFCCP typically allow only 5 days extension, but in light of the holidays and the timing that this request was sent out along with the other reviews you are handling, please indicate how long you are requesting for an extension. I will then forward your request to OFCCP management for approval. If the extension is approved, I will notify you immediately.

Thanks,  
Hoan

---

**From:** Shauna Holman Harries [<mailto:shauna.holman.harries@oracle.com>]  
**Sent:** Monday, December 01, 2014 11:40 AM  
**To:** Luong, Hoan - OFCCP  
**Cc:** Lida Daniel; Neil Bourque; [william.couch@oracle.com](mailto:william.couch@oracle.com)  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // request for additional pay data

Hi Hoan. I got your voice mail and we are in receipt of this request. However, we have 23 open audits with numerous requests for information that have come in. It can take up to three weeks for us to pull the compensation data that you have requested as we are reliant on other departments at Oracle for this information. After that we need a few days to put it in a format that is understandable. Please understand your request was sent after 5 on November 19. Part of the time since you submitted your request has been consumed with non-work holidays. Only five workdays have elapsed since then with some staff taking time off during those five days.

We are working on your request. It has been submitted to our IT department to pull the information you are asking for. We will get that information to you just as soon as we can. But, please understand, a request of this type typically takes **at least three weeks** to process. We wish we could get it to you sooner, but we are not able to do so.

Shauna

---

**From:** Luong, Hoan - OFCCP [<mailto:Luong.Hoan@dol.gov>]  
**Sent:** Wednesday, November 19, 2014 5:04 PM  
**To:** Shauna Holman Harries  
**Cc:** Luong, Hoan - OFCCP  
**Subject:** Oracle HQCA (Redwood Shores, CA) // request for additional pay data  
**Importance:** High

Dear Ms. Holman-Harries,

The Office of Federal Contract Compliance Programs (OFCCP) is currently reviewing the affirmative action plan that

you submitted to the OFCCP on October 28, 2014. The OFCCP will need additional pay factors to evaluate Oracle's compensation practice. Enclosed with this email is a letter listing all the items that need to be submitted to OFCCP. Please provide the compensation data in Excel format.

**Please submit the requested information to OFCCP by Wednesday, November 26, 2014.**

Thank you,

***Hoan Luong***

***Senior Compliance Officer***

U.S. Department of Labor - OFCCP

90 7th Street, Suite 11-100

San Francisco, CA 94103

P: (415) 625-7835

F: (415) 625-7844

[Luong.Hoan@dol.gov](mailto:Luong.Hoan@dol.gov)

---

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# EXHIBIT G

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**From:** Yeh, Min-Chih - OFCCP <Yeh.Min-Chih@dol.gov>  
**To:** 'Shauna Holman Harries' <shauna.holman.harries@oracle.com>  
**CC:** Mikel, Brian L - OFCCP <Mikel.Brian@dol.gov>; Lida Daniel <lida.daniel@oracle.com>  
**Sent:** 1/29/2015 9:54:07 PM  
**Subject:** RE: Interview Statement for Lisa Gordon and Additional Document Request for Oracle Compliance Evaluation

Hi Shauna,

Could you please provide the status of the documents requested from my email below, dated January 22, 2015?

Thank You,

Jennifer Yeh  
Compliance Officer  
Hawaii Area Office  
US DOL, OFCCP  
300 Ala Moana Blvd, Room 7-227  
PO Box 50149  
Honolulu, HI 96850  
Telephone: (808) 541-2931; Fax: (808) 541-2904  
Email: [yeh.min-chih@dol.gov](mailto:yeh.min-chih@dol.gov)

-  
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-  
-  
-

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**From:** Shauna Holman Harries [<mailto:shauna.holman.harries@oracle.com>]  
**Sent:** Monday, January 26, 2015 1:56 PM  
**To:** Yeh, Min-Chih - OFCCP  
**Cc:** Mikel, Brian L - OFCCP; Lida Daniel  
**Subject:** RE: Interview Statement for Lisa Gordon and Additional Document Request for Oracle Compliance Evaluation

Hi Jennifer. Would you please send us a word copy so we can make changes in edit tracking?

---

**From:** Yeh, Min-Chih - OFCCP [<mailto:Yeh.Min-Chih@dol.gov>]  
**Sent:** Thursday, January 22, 2015 3:31 PM  
**To:** Shauna Holman Harries  
**Cc:** Mikel, Brian L - OFCCP  
**Subject:** Interview Statement for Lisa Gordon and Additional Document Request for Oracle Compliance Evaluation

Good Morning Ms. Holman-Harries,

Please find attached the interview statement for Lisa Gordon for Ms. Gordon's review, edits, and signature. Please feel free to write in any revisions on the interview statement and initial by the handwritten changes. Please return the signed interview statement to me by January 28, 2015.

As discussed during our telephone discussion on January 13, 2015, I am also requesting the following list of documents to be submitted by January 28, 2015:

1. Data Dictionary (i.e. explanation of all codes for all submitted data), including by not limited to acronyms from the work unit flow column of the compensation database
2. All Human Resources/Employment policies, including compensation policies, hiring policies, promotion policies, and termination policies.
3. All written job descriptions for all job titles for all Oracle facilities in the United States
4. Written policies and guidelines on Pager Pay
5. Written policies and guidelines on Overtime Pay
6. Written policies and eligibility and distribution guidelines on Non-Sales Compensation
7. Written policies and eligibility and distribution guidelines on Sales Compensation and Incentives/Bonuses
8. Written policies and eligibility and distribution guidelines on Consulting Compensation and Incentives/Bonuses
9. Copies of all self-audits, pay equity studies, and salary surveys
10. Written policies and eligibility and distribution guidelines for the Corporate Bonus Program
11. Written policies and eligibility and distribution guidelines for the Stock Program
12. Written policies and eligibility and distribution guidelines for the Recruiter Diversity Bonus
13. Written policies and eligibility and distribution guidelines for the Instructor Bonus
14. Written policies and eligibility and distribution guidelines for the Spot Bonus
15. List of states and/or locations that fall under HQ salary ranges
16. List of states and/or locations that fall under non-HQ salary ranges
17. Names, titles, and department of "leaders" who receive budgets from corporate, and the names, titles, and department of the managers that the budgets are cascaded down to until it reaches the individual employee.
18. Documentation related to salary adjustments as a result of focal reviews conducted within the last 2 years for the Pleasanton Oracle facility.

Before sending you the list of additional column headers we would like added to the current database, we would like to schedule an interview with you and Neil Bourque. Are you available for an interview next Friday, January 30, 2015? In addition, we would like to schedule interviews with the recruiters and managers responsible for the final decisions related to hiring, promotion, and terminations at the Pleasanton facility. Please feel free to contact me or my Area Office Director, Brian Mikel, at 808-541-2933 with any questions or concerns.

Thank You,

Jennifer Yeh  
 Compliance Officer  
 Hawaii Area Office  
 US DOL, OFCCP  
 300 Ala Moana Blvd, Room 7-227  
 PO Box 50149  
 Honolulu, HI 96850  
 Telephone: (808) 541-2931; Fax: (808) 541-2904  
 Email: [yeh.min-chih@dol.gov](mailto:yeh.min-chih@dol.gov)>

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-  
-

# EXHIBIT H

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**From:** Mikel, Brian L - OFCCP <Mikel.Brian@dol.gov>  
**To:** Shauna Holman Harries <shauna.holman.harries@oracle.com>  
**CC:** Neil Bourque <neil.bourque@oracle.com>; Lida Daniel <lida.daniel@oracle.com>; Bill Couch <william.couch@oracle.com>  
**Sent:** 2/9/2015 7:53:01 PM  
**Subject:** RE: Oracle Compensation Dataset Request

Thank you for your response.

Do you have a minute later today to discuss? Majority of the items are identical to those submitted in previous databases. Some of them may not be readily available in HRIS systems and we can remove them from the request.

I am available any time after 4pm pacific time.

Thank you,  
Brian

---

**From:** Shauna Holman Harries [mailto:shauna.holman.harries@oracle.com]  
**Sent:** Monday, February 09, 2015 9:48 AM  
**To:** Mikel, Brian L - OFCCP  
**Cc:** Neil Bourque; Lida Daniel; Bill Couch  
**Subject:** RE: Oracle Compensation Dataset Request

This is a huge request. That is impossible in view of our current workload. Even without our current work load we will have to do research and rely on other departments. It could take us up to a month to have this for you for PLCA. Much of the information has to be looked up one by one. For some of the other locations with many more employees it could take a couple of months. We will prepare the PLCA request first. I will keep you advised of our timeline.

---

**From:** Mikel, Brian L - OFCCP [mailto:Mikel.Brian@dol.gov]  
**Sent:** Monday, February 09, 2015 12:13 PM  
**To:** Shauna Holman Harries  
**Subject:** RE: Oracle Compensation Dataset Request

Hi Shauna,

Realized I didn't give you a timeline for this request. Could you please submit the updated databases by Thursday, February 19<sup>th</sup>? Please contact me if you have any questions about the request itself or any of the individual factors.

Thank you.  
Brian

---

**From:** Mikel, Brian L - OFCCP  
**Sent:** Friday, February 06, 2015 5:29 PM  
**To:** 'shauna.holman.harries@oracle.com'  
**Cc:** Lucas, Rhea - OFCCP; Yeh, Min-Chih - OFCCP; Stevens, Stacey - OFCCP; Crossland, Milton - OFCCP; Luong, Hoan - OFCCP; Nguyen, Phuong Kim - OFCCP  
**Subject:** Oracle Compensation Dataset Request

Hi Shauna,

Thank you for taking the time to speak with Jennifer and I on Thursday. Our conversation really helped clarify some of the data and information submitted. I have attached the notes and would appreciate that you review them and make any corrections for accuracy. Please track changes and sign/return so that we both have a final copy. We are following up on our conversation with the compensation dataset request that we discussed yesterday. The majority of the factors are the same as those included in Oracle's recent submission for its IRCA establishment. All of the factors

in red below were previously submitted but we have added some factors based on the interview with Lisa Gordon, Director Compensation.

We understand that it has been somewhat difficult to pull the information from the various HRIS systems and appreciate your efforts to work with us to develop a complete dataset. We also would like to ease the burden on you and your team and ensure that the requests for information out of the Pacific Region are consistent. Therefore, the request for information below is submitted for each one of the six AAPs currently under evaluation (HQCA, PLCA, ROCA, IRCA, POOR, HIOR). The compliance officers for each of these reviews are cc'd on this email. We understand that some of this information is not readily available in your systems so please contact me after receiving this request and we can discuss which items cannot be included in the submission.

We are requesting that you provide the following information in one complete excel spreadsheet (one for each establishment AAP - HQCA, PLCA, ROCA, IRCA, POOR, HIOR), for all employees in your workforce included in the AAP, as of the date used for the salary analysis:

1. Name;
2. Employee ID number;
3. Gender;
4. Race/Ethnicity;
5. National Origin (including country of origin, domestic/foreign, visa status/type);
6. Job Title;
7. Job Function;
8. Job Specialty;
9. H1B Status of the employee
10. Job Group;
11. Salary Band/Level/Grade;
12. Supervisor Code
13. Supervisor's name;
14. Supervisor's Employee ID number;
15. Supervisor's title;
16. Supervisor's Work Location;
17. Date of Birth;
18. Salary Range Min
19. Salary Range Mid
20. Salary Range Max
21. Global career level;
22. Department;
23. Work Unit Flow
24. Original Hire Date;
25. Separation date(s) (if applicable, include all dates if employee has separated and rehired multiple times);
26. Most recent hire date;
27. Acquisition Date, if employee was acquired;
28. Date in current position, if applicable;
29. Grade date;
30. Education (if applicable);
31. Part-Time vs. Full-Time Status;
32. Exempt vs. Non-Exempt Status<sup>[1]</sup>;
33. Salary;
34. Regular Salary;
35. Regular Wages;
36. TOTAL COMPENSATION (leave formulas to calculate this total intact);
37. Hourly wage for Part-Time
38. # of hours worked Part-Time
39. Oracle Regular Wages
40. Overtime Wages
41. Bereavement
42. Jury Duty

43. Holiday Work
44. Pager Weekday
45. Pager Weekend
46. Early Shift
47. Second Shift
48. Third Shift
49. Supplemental Shift
50. Shift 5 PCT
  51. Shift 10 PCT
  52. Shift 15 PCT
  53. Shift 20 PCT
  54. Shift 50 PCT
55. Military Pay
56. Paid Vacation
57. Salary Adjust
58. Salary Recovery
59. Sick Pay
60. Unpaid Time Off
61. Vacation Pay
62. Commission Pay
63. Bonus
64. Total actual Bonus/Incentive Compensation Paid;
65. Stock;
66. School, if it was considered as a factor in determining compensation for that job title;
67. Prior Salary (if applicable, i.e. salary applicant received immediately before being hired by Oracle or for employees who were acquired, employees' salaries immediately before they were acquired);
68. Years of prior work experience (if applicable);
69. Starting Salary at Oracle when employee was first hired;
70. Starting Job Title at Oracle when employee was first hired;
71. Direct Manager who decided on the Starting Salary at Oracle;
72. Starting Salary for current position at Oracle if the employee transferred or was promoted during his/her tenure at Oracle;
73. Direct Manager who decided on the starting salary for the CURRENT POSITION at Oracle;
74. Amount of signing bonuses for each employee, if employee received a signing bonus;
75. Employee Work Location;
76. Performance Ratings for employee for last 3 years: 2012, 2013, 2014 (same as previously submitted with separate code, rating and date for each year);
77. Pay increases for the employee within the last 3 years: 2012, 2013, 2014 (Each year should have a separate column);
78. Eligibility of employee for the corporate bonus program (y/n);
79. Amount of corporate bonus paid;
80. Eligibility of employee for the sales incentive/bonus program (y/n);
81. Amount of sales incentive/bonus paid;
82. Eligibility of employee for the consulting bonus program (y/n);
83. Amount of consulting bonus paid;
84. Eligibility of employee for Beeper Pay (y/n);
85. Any other pay allowances, if any;
86. Eligibility of employee for the Recruiter diversity bonus (y/n);
87. Amount of Recruiter diversity bonus paid;
88. Eligibility of employee for stock bonus program (y/n);
89. Amount of stock bonus paid;
90. Eligibility of employee for the Instructor bonus (y/n);
91. Amount of Instructor bonus;
92. Eligibility of the employee for the Spot bonus (y/n);
93. Amount of Spot bonus paid;
94. Amounts paid for referral of individuals for hires and/or promotions (if applicable);
95. U\_YRSOFSERV (from CAAMS);
96. U\_LVL10MGR #(from CAAMS);

- 97. U\_LVL9MGR (from CAAMS);
- 98. U\_LVL8MGR (from CAAMS);
- 99. U\_LVL7MGR (from CAAMS);
- 100. U\_LVL6MGR (from CAAMS);
- 101. U\_LVL5MGR (from CAAMS);
- 102. U\_LVL4MGR (from CAAMS).

Thank you,

**Brian L. Mikel** | Director  
Hawaii Area and Guam Field Offices  
U.S. Department of Labor  
Office of Federal Contract Compliance Programs  
300 Ala Moana Boulevard | Room 7-227  
Honolulu, Hawaii 96850 | (ph) 808.541.2933 | (fax) 808.541.2904

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[1] *If some employees receive a uniform base hourly rate for a specific job, please identify these employees and describe their compensation system*

# EXHIBIT I

---

**From:** Mikel, Brian L - OFCCP <Mikel.Brian@dol.gov>  
**To:** shauna.holman.harries@oracle.com <shauna.holman.harries@oracle.com>; Neil Bourque (neil.bourque@oracle.com) <neil.bourque@oracle.com>  
**CC:** Yeh, Min-Chih - OFCCP <Yeh.Min-Chih@dol.gov>; Nguyen, Phuong Kim - OFCCP <Nguyen.Phuong.Kim@dol.gov>; Luong, Hoan - OFCCP" <Luong.Hoan@dol.gov>; Lucas, Rhea - OFCCP <Lucas.Rhea@dol.gov>; Stevens, Stacey - OFCCP <Stevens.Stacey@dol.gov>; Crossland, Milton - OFCCP" <Crossland.Milton@dol.gov>  
**Sent:** 2/11/2015 2:45:02 AM  
**Subject:** Revised compensation database request  
**Attachments:** Oracle Compensation Director Interview- Lisa Gordon 1-13-2015OFCCP(1)-f....docx

Good Afternoon Shauna and Neil,

Thank you very much for sending the requested information (send our thanks to Lisa as well). Please find attached, the finalized version (with all of Ms. Gordon's edits) of Lisa Gordon's interview statement for her to sign and date.

To save time, in lieu of a telephone conference about our February 6<sup>th</sup> email, we have delineated the column headers to be submitted by February 19<sup>th</sup> and the column headers that can be sent later. Please ensure that the snapshot date of the dataset is 1/1/14 for each of the databases submitted.

**February 19<sup>th</sup> column headers (Many of these column headers have already been provided but we included them so it can be a comprehensive list of column headers for the dataset):**

1. Name;
2. Employee ID number;
3. Gender;
4. Race/Ethnicity;
5. National Origin (including country of origin, domestic/foreign, visa status/type);
6. Job Title;
7. Job Function;
8. Job Specialty;
9. H1B Status of the employee
10. Job Group;
11. Salary Band/Level/Grade;
12. Supervisor Code
13. Supervisor's name;
14. Supervisor's Employee ID number;
15. Supervisor's Work Location;
16. Date of Birth;
17. Salary Range Min
18. Salary Range Mid
19. Salary Range Max
20. Global career level;
21. Department;
22. Work Unit Flow
23. Original Hire Date;
24. Separation date(s) (if applicable, include all dates if employee has separated and rehired multiple times);
25. Most recent hire date;
26. Acquisition Date, if employee was acquired;
27. Date in current position, if applicable;
28. Grade date;
29. Part-Time vs. Full-Time Status;
30. Exempt vs. Non-Exempt Status;
31. Salary;
32. Regular Salary;
33. Regular Wages;
34. TOTAL COMPENSATION (leave formulas to calculate this total intact);
35. Hourly wage for Part-Time
36. # of hours worked Part-Time
37. Oracle Regular Wages
38. Overtime Wages

39. Bereavement
40. Jury Duty
41. Holiday Work
42. Pager Weekday
43. Pager Weekend
44. Early Shift
45. Second Shift
46. Third Shift
47. Supplemental Shift
48. Shift 5 PCT
  49. Shift 10 PCT
  50. Shift 15 PCT
  51. Shift 20 PCT
  52. Shift 50 PCT
53. Military Pay
54. Paid Vacation
55. Salary Adjust
56. Salary Recovery
57. Sick Pay
58. Unpaid Time Off
59. Vacation Pay
60. Commission Pay
61. Any other paid allowances, if any;
62. Bonus
63. Total actual Bonus/Incentive Compensation Paid;
64. Amount of corporate bonus paid;
65. Amount of sales incentive/bonus paid;
66. Amount of consulting bonus paid;
67. Amount of Spot bonus paid;
68. Amount of Instructor bonus;
69. Amounts paid for referral of individuals for hires and/or promotions (if applicable);
70. Amount of stock bonus paid;
71. Amount of Recruiter diversity bonus paid;
72. Employee Work Location;
73. Performance Ratings for employee for last 3 years: 2012, 2013, 2014 (same as previously submitted with separate code, rating and date for each year);
74. Pay increases for the employee within the last 3 years: 2012, 2013, 2014 (Each year should have a separate column);
75. U\_YRSOFSERV (from CAAMS);
76. U\_LVL10MGR (from CAAMS);
77. U\_LVL9MGR (from CAAMS);
78. U\_LVL8MGR (from CAAMS);
79. U\_LVL7MGR (from CAAMS);
80. U\_LVL6MGR (from CAAMS);
81. U\_LVL5MGR (from CAAMS);
82. U\_LVL4MGR (from CAAMS).

**Column headers to be added to the February 19<sup>th</sup> column headers (Due on March 10<sup>th</sup>):**

83. Supervisor's title;
84. Education (if applicable);
85. School, if it was considered as a factor in determining compensation for that job title;
86. Prior Salary (if applicable, i.e. salary applicant received immediately before being hired by Oracle or for employees who were acquired, employees' salaries immediately before they were acquired);
87. Years of prior work experience (if applicable);
88. Stock Level;
89. Direct Manager who decided on the Starting Salary at Oracle;
90. Amount of signing bonus(es) for each employee, if employee received a signing bonus;
91. Direct Manager who decided on the starting salary for the CURRENT POSITION at Oracle;
92. Eligibility of employee for the corporate bonus program (y/n);

- 93. Eligibility of employee for the sales incentive/bonus program (y/n);
- 94. Eligibility of employee for the consulting bonus program (y/n);
- 95. Eligibility of employee for Beeper Pay (y/n);
- 96. Eligibility of employee for the Recruiter diversity bonus (y/n);
- 97. Eligibility of employee for stock bonus program (y/n);
- 98. Eligibility of employee for the Instructor bonus (y/n);
- 99. Eligibility of the employee for the Spot bonus (y/n);

In lieu of providing starting salary with Oracle and starting salary in current job title in the database, please provide the following items in a separate spreadsheet or printout for each employee by February 27th:

1. Complete "job and salary information and history for all employees" for each establishment compensation database produced directly and unaltered from the Information Workbench (IWB). [This request is pulled from the information provided on slide #22 of the Global Compensation Training powerpoint]

Please provide a screenshot of a sample employee's page on each of the internal websites: (1) Compensation Workbench (CWB) and (2) Information Workbench (IWB). From the CWB, please also provide a screenshot of the page used by a manager when making a salary recommendation for a new hire.

Please provide these spreadsheets and information for each of the 6 facilities in the Pacific Region under review: HQCA, PLCA, ROCA, IRCA, POOR, HIOR. Please feel free to contact me or the compliance officer assigned to each review if you or Neil have any questions. Thank you in advance for your cooperation.

Thank You,  
Brian

**Brian L. Mikel** | Director  
Hawaii Area and Guam Field Offices  
U.S. Department of Labor  
Office of Federal Contract Compliance Programs  
300 Ala Moana Boulevard | Room 7-227  
Honolulu, Hawaii 96850 | (ph) 808.541.2933 | (fax) 808.541.2904

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# EXHIBIT J

**Luong, Hoan - OFCCP**

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**From:** Atkins, Hea Jung K - OFCCP  
**Date:** Friday, March 13, 2015 10:24 AM  
**To:** Shauna Holman Harries; Mikel, Brian L - OFCCP  
**Cc:** Neil Bourque; Luong, Hoan - OFCCP  
**Subject:** RE: HQCA

Hi Shauna,

Thank you for your response. Your concerns regarding our aggregation techniques during the initial analysis have been noted. However, at this time we are proceeding as discussed in the March 12, 2015 correspondence from Brian Mikel. Within that correspondence, you were also informed that our interview list is forthcoming which will naturally provide guidance as to the employees we would like to speak with. Moreover, as you may be aware, an exit conference will be held to provide specificity to our initial findings at the conclusion of the onsite. We look forward to your continued cooperation throughout the investigative process and await receipt of the pending data requests.

Thank you,  
Hea Jung

**From:** Shauna Holman Harries [<mailto:shauna.holman.harries@oracle.com>]  
**Date:** Thursday, March 12, 2015 3:52 PM  
**To:** Mikel, Brian L - OFCCP  
**Cc:** Neil Bourque; Atkins, Hea Jung K - OFCCP; Luong, Hoan - OFCCP  
**Subject:** RE: HQCA

Hi Brian. We appreciate your response but unfortunately it doesn't provide us with any detail so we have no idea what specifically to look at. Further, you've asked for an enormous amount of detail for all headquarters employees. You make reference generally to race/ethnicity and to technical Job Groups. However, the information you have provide us gives no detail or direction on what we should look at or how we might even begin to address any perceived concerns. Moreover, as I'm sure you know, reference to AAP Job Groups affords no relevant or meaningful comparison for any purpose – certainly not hires or pay. We provided detailed information in the desk audit response that identified employees and their most relevant comparators in the same job title, dept, etc. Oracle's job structure and related hiring and pay decisions have nothing to do with Job Groups. We understand that OFCCP might choose to aggregate data by Job Group, but I don't see how that can result in any meaningful analysis or identify any relevant indicators in any of the job in PT1, 2 or 3.. Please advise ASAP if you have anything more detailed.

Thanks you.

Shauna

**From:** Mikel, Brian L - OFCCP [<mailto:Mikel.Brian@dol.gov>]  
**Date:** Thursday, March 12, 2015 10:21 AM  
**To:** Shauna Holman Harries

**Cc:** Neil Bourque; Atkins, Hea Jung K - OFCCP; Luong, Hoan - OFCCP  
**Subject:** RE: HQCA

Hi Shauna,

Our preliminary desk audit indicators are primarily in compensation and hiring based on gender and race/ethnicity. As you'll find when we send the list of employee and manager interviews, the majority of the job titles are within the PT1, PT2 and PT3 job groups.

An updated database as soon as possible (does not necessarily need to include every item in last request) will help us focus our time and interviews while on-site. Company tenure and time in job information, as you know, is important information that was not included in previous submissions.

I will be on leave until next Wednesday, please forward any future correspondence to Hea Jung Atkins and Hoan Luong and cc me.

Thank you,  
Brian

**From:** Shauna Holman Harries [mailto:[shauna.holman.harries@oracle.com](mailto:shauna.holman.harries@oracle.com)]  
**Sent:** Wednesday, March 11, 2015 9:11 AM  
**To:** Mikel, Brian L - OFCCP  
**Cc:** Neil Bourque  
**Subject:** RE: HQCA

Not sure if you saw this request. Would you please send us the indicators?

**From:** Shauna Holman Harries  
**Sent:** Monday, March 09, 2015 1:26 PM  
**To:** Mikel, Brian L - OFCCP  
**Cc:** Neil Bourque  
**Subject:** HQCA

As a follow up to our telephone call I wanted to ask you what, if any, indicators have you found in your initial analysis? You have not said anything with regard to the identification of any indicators so far. Please advise.

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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# EXHIBIT K

U.S. Department of Labor

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



**VIA EMAIL**

April 27, 2015

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

Dear Ms. Holman-Harries:

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

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

1. A screenshot of a software developer employee's page on each of Oracle's internal websites: (1) Compensation Workbench (CWB) and (2) Information Workbench (IWB). From the CWB, please also provide a screenshot of the page used by a manager when making a starting salary recommendation for a new hire and a wage increase recommendation for an Oracle employee. (originally requested on February 10, 2015)
2. Employee personnel actions containing job and salary information and history for all employees and student interns. This information should include, but not be limited to, starting wages, wage increases, bonus awards, job title hired into, starting stock level, job title and supervisor changes, stock level changes, promotion history, performance evaluations, ranking information, etc. with dates associated for each action. (the salary history was originally requested February 10, 2015)
3. Dates of any internal pay equity analysis conducted during the past three years, as required under 60-2.17. For each analysis, include:

- Dataset used for that analysis
  - Actions taken, if any, as a result of the analysis
4. HQCA March 2015 submission of number of protected Veterans included only 19 individuals. VETS 100-A report stated a total of 137 veterans. Please provide a detailed explanation of this discrepancy.
  5. Please provide a detailed explanation of why the total workforce in the AAP only had 7,421 employees but the 2014 EEO-1 report showed 16,015 employees.
  6. For all employees who were hired during the review period 01/01/2013 – 06/30/2014, include the following in separate columns:
    - Visa status (yes/no)
    - If they are on visa status, include the specific visa (not limited to H1B) they were holding
  7. Please resubmit the compensation database (snapshot as of 01/01/2014) to include each of the following, some of which have already been requested, in separate columns:
    - Starting wages/salary
    - School attended
    - Educational degree
    - Prior salary immediately before joining Oracle
    - Performance evaluation rating
    - Rank (by performance)
    - Hire date/Acquisition date
    - Hourly wages
    - Number of hours worked
    - Years of experience before joining Oracle
    - Stock level
    - Hiring manager(s)
    - Amount of signing bonus
    - Visa status
    - Type of visa, including but not limited to H1B
    - The date (mm/dd/yyyy) that the visa was initially processed
    - Current status of visa
    - The date (mm/dd/yyyy) that green card/permanent resident card was processed
  8. Please resubmit the Resume Files that were sent on Thursday, March 26, 2015, in an easy to read format. The picture-format resumes pasted on MS Word could not be easily read.
  9. For all applicants and total hires in the following job titles from January 1, 2013 to June 30, 2014, please provide the following:
    - Copies of each requisition, including copies of each job posting and each job description

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

Job Titles:

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

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

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

Job Titles:

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

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

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

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

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

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

Sincerely,



Hea Jung Atkins  
District Director

---

**From:** Atkins, Hea Jung K - OFCCP  
**To:** Shauna Holman Harries (shauna.holman.harries@oracle.com)  
**Sent:** 5/11/2015 6:52:25 PM  
**Subject:** FW: Oracle HQs follow-up  
**Attachments:** Scanned from a Xerox multifunction device001.pdf

Hi Shauna,

Could you please provide status on the attached request?

Thanks,  
Hea Jung

-----Original Message-----

From: Atkins, Hea Jung K - OFCCP  
Sent: Monday, April 27, 2015 9:24 AM  
To: Shauna Holman Harries (shauna.holman.harries@oracle.com)  
Cc: Luong, Hoan - OFCCP; Mikel, Brian L - OFCCP  
Subject: Oracle HQs follow-up

Hi Shauna,

Please see attached letter regarding follow-up to the Oracle Redwood Shores compliance evaluation. Please let me know if you have any questions.

Thanks,  
Hea Jung

# EXHIBIT L

---

**From:** Shauna Holman Harries <shauna.holman.harries@oracle.com>  
**To:** Atkins, Hea Jung K - OFCCP <Atkins.HeaJung@dol.gov>  
**CC:** Bill Couch <william.couch@oracle.com>; Charles Nyakundi <charles.nyakundi@oracle.com>; Neil Bourque <neil.bourque@oracle.com>; Lida Daniel <lida.daniel@oracle.com>; Vickie Thrasher <victoria.thrasher@oracle.com>  
**Sent:** 5/14/2015 7:25:45 PM  
**Subject:** HQCA Update  
**Attachments:** HQCA Compensation Report 5-12-15no vlookup.xls; IWB - Fang - 1\_Base Pay.jpg; IWB - Fang - 4\_Bonus.jpg; IWB - Fang - 5\_Stock Options.jpg; IWB - Fang - 6\_Other Compensation.jpg; IWB - Fang - 8\_Performance.jpg; IWB - Fang - 9\_Job.jpg; IWB - Lee - 0\_Summary Page.jpg

Hi Hea Jung, we are working on the April 27 requests, which ask for a huge amount of data; some new, some re-submissions and some that will be difficult to compile and/or are not clear. We also are trying to juggle yours and a number of other audit responses.  
Below is a partial response:

Item 1

A screenshot of a software developer employee's page on each of Oracle's internal websites: (1) Compensation Workbench (CWB) and (2) Information Workbench (IWB). From the CWB, please also provide a screenshot of the page used by a manager when making a starting salary recommendation for a new hire and a wage increase recommendation for an Oracle employee. See files: IWB - Fang - 1\_Base Pay.jpg IWB - Fang - 4\_Bonus.jpg IWB - Fang 5\_Stock Options.jpg IWB - Fang 6\_Other Compensation.jpg IWB - Fang - 8\_Performance.jpg IWB - Fang - 9\_Job.jpg IWB - Lee - 0\_Summary Page.jpg

Item 4

HQCA March 2015 submission of number of protected veterans included only 19 individuals VETS 100-A report stated a total of 137. Please provide a detailed explanation of this discrepancy. The difference in numbers between the EEO1 and VETS100A reports and the employee list submitted for the audit at HQCA is because our Field Office Headquarters employees are included in the VETS100A and EEO1 information and the audit is only for the employees at our HQCA or Redwood Shores location.

Item 5

Please provide a detailed explanation of why the total workforce in the AAP had only 7,421 employees but the 2014 EEO-1 report showed 16,015 employees. The difference in numbers between the EEO1 and VETS100A reports and the employee list submitted for the audit at HQCA is because our Field Office Headquarters employees are included in the VETS100A and EEO1 information and the audit is only for the employees at our HQCA or Redwood Shores location.

Respectfully,

Neil and Shauna

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# EXHIBIT M

**From:** Shauna Holman Harries  
**To:** Atkins, Hea Jung K - OFCCP  
**Cc:** Luong, Hoan - OFCCP; Neil Bourque; Charles Nvakundi; Bill Couch; Lida Daniel; Vickie Thrasher  
**Subject:** April 27 RFI Item 3  
**Date:** Tuesday, June 02, 2015 10:27:47 AM

---

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

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

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

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

Best Regards,  
Shauna Holman-Harries

ORACLE

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

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# EXHIBIT N

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**From:** shauna.holman.harries@oracle.com  
**To:** Atkins, Hea Jung K - OFCCP <Atkins.HeaJung@dol.gov>  
**CC:** Luong, Hoan - OFCCP <Luong.Hoan@dol.gov>; Charles Nyakundi <charles.nyakundi@oracle.com>; Lida Daniel <lida.daniel@oracle.com>; Neil Bourque <neil.bourque@oracle.com>; Bill Couch <william.couch@oracle.com>; Vickie Thrasher <victoria.thrasher@oracle.com>  
**Sent:** 6/16/2015 3:42:10 PM  
**Subject:** Item 2 RFI  
**Attachments:** HQCA Compensation Report6-10-15.xls

Hi Hea Jung. Pursuant to Brian Mikel's February 10 request, we are providing you with updated compensation spreadsheet data. Starting salary has been inserted. We are still working on getting the three years of performance information that you requested and will add that once we receive it. In addition, we have been trying to find a program that will pull starting salary in current position, but have been unsuccessful so far. If our efforts are unsuccessful, we will have to look each and every one of the 7500 to 8000 employees up one by one. Manually gathering this information will take a number of months. We will keep you updated as we continue to work on your requests for information.

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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# EXHIBIT O

## Luong, Hoan - OFCCP

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**From:** Shauna Holman Harries <shauna.holman.harries@oracle.com>  
**Sent:** Thursday, July 02, 2015 12:34 PM  
**To:** Atkins, Hea Jung K - OFCCP  
**Cc:** Neil Bourque; Charles Nyakundi; Bill Couch; Lida Daniel; Luong, Hoan - OFCCP; Crossland, Milton - OFCCP  
**Subject:** Exit Conference

Hi Hea Jung. Since you were ill, no one conducted any exit conference with us at the close last week. We did have a nice goodbye chat, but nothing substantive, with Huon and Milton after the last interview. It is my understanding that they are looking to you to communicate any additional information concerning the June onsite. I would like to get the exit conference done ASAP and learn of any concerns or issues you and your team identified. My sense from the interviews I sat in on, and those attended by Neil and Charles is that, all went well and no issues were identified. Of course, you also did some employee interviews where we were not present. In any event, I'd like to close the loop with you (and your colleagues). Please let me know a good time to talk next Monday or Tuesday.

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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# EXHIBIT P

## Luong, Hoan - OFCCP

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**From:** Atkins, Hea Jung K - OFCCP  
**Sent:** Thursday, July 02, 2015 2:35 PM  
**To:** Shauna Holman Harries (shauna.holman.harries@oracle.com)  
**Cc:** Luong, Hoan - OFCCP; Crossland, Milton - OFCCP; Doles, Robert - OFCCP  
**Subject:** Employee Interviews and Pleasanton list  
**Attachments:** Onsite interview list.xlsx

Hi Shauna,

Attached please find a list of managers and employees that OFCCP would like to interview while onsite at Oracle Pleasanton during the week of July 27, 2015.

I am also compelled to address how Oracle responded to our request for employee interviews at Redwood Shores, along with your June 22 and 23, 2015, email correspondence to me regarding OFCCP's conduct during last week's onsite. It is important to address these issues now before the Pleasanton onsite as we are extremely concerned with how Oracle is continuing to mischaracterize facts in an apparent attempt to interfere and obstruct our audit, while creating a false record of OFCCP's audit of Oracle Redwood Shores. Interference and obstruction with our ability to conduct an audit of Oracle's facilities is a violation of our regulations and federal law.

On May 29, 2015, via email to you, Hoan Luong requested contact information for all current and former employees pursuant to 41 CFR §60 – 1.20(a)(1) and (2). Oracle failed to respond to our request. Because a response to this request was not provided, we provided you with a list of employees to schedule for interviews during the onsite. Instead of scheduling interviewees per our request, Oracle instead sent an email to the employees on the list designed to chill their participation in the interviews. You incorrectly claimed that OFCCP requested that the email be sent to employees and incorrectly claimed to have copied me on the emails. When I informed you that Oracle's actions were contrary to our request and asked that the employees be scheduled so that we can speak directly to them, you emailed me on June 19, 2015, to tell me that my request bordered on harassment and intimidation of the individuals. You then continued to mischaracterize Brian Mikel as having abused the process without any factual support. As a result of Oracle's interference, OFCCP was only able to conduct 8 out of the 132 employees named during the June 22 to June 25 Oracle Redwood Shores onsite.

On June 22, 2015, while onsite, you also sent me an email that OFCCP team members failed to inform managers about their right to have Oracle representatives be present during the confidential employee questions portion of the interview. You then sent me another email on June 23, 2015, stating that Oracle noticed a huge difference and that I had obviously ensured that appropriate statements were made after receipt of your June 22 email. As you know, I was sick on June 23 (and out during the remainder of the onsite) and advised you that I will review your email to me and respond back to you as soon as I could.

I have since had the opportunity to discuss your email with my team members and disagree with Oracle's portrayal of OFCCP's statements. OFCCP acted appropriately during the onsite and indeed found Oracle representatives to have intimidated interviewees through strong and misleading messages such as repeated statements that representation is a right without proper disclosure of Oracle's conflict of interest with employees in this audit, and by making demands of OFCCP, in the interviewee's presence, that the interviewee be informed of their rights. Such statements insinuated a sense of wrongdoing of the interviewee. Oracle representatives also misled employees to believe that Oracle represented their interests in this audit, instead of its own.

Please be advised that OFCCP views Oracle's continued mischaracterization of our requests and misrepresentation of facts in this audit as intimidation and interference with our ability to conduct a compliance evaluation, in violation of 41 CFR §60-1.32 and 41 CFR §60-1.26(a)(x) and other laws.

We expect that the Oracle Pleasanton onsite will be conducted in a professional manner. Pursuant to 41 CFR §60 – 1.20(a)(1) and (2), please either provide us with contact information (current or last known home phone number, home address and email addresses) for all former and current employees at the Oracle Pleasanton facility during the review period or schedule the employees listed in the attached spreadsheet without sending email notifications. Please also send us contact information for all Oracle HQ employees per Hoan Luong's May 29, 2015, email by June 10, 2015, as we were denied access to interviewing employees while onsite.

Finally, today you emailed me asking to schedule an exit conference for Oracle Redwood Shores. We are not prepared to conduct an exit conference at this time as in addition to the need to conduct employee interviews, we are still awaiting outstanding items listed in our April 27, 2015 letter. We will schedule an exit conference at the conclusion of our offsite analysis.

Thank you for your cooperation,  
Hea Jung Atkins

# EXHIBIT Q

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Atkins, Hea Jung K - OFCCP; Neil Bourque; Charles Nyakundi  
**Sent:** 8/28/2015 9:24:43 PM  
**Subject:** RE: Oracle Redwood Shores

Hi Hoan. Hope all is going well. We just received this request and will be onsite at another audit next week. For some reason the first request was sent to our attorney's office via email, without a copy to us, and was blocked by his firm's spam filter. We are not sure why an electronic copy was not sent to us as has been the case for all other requests for information by the OFCCP.

This is an enormous request and we will not be able to provide this information to meet the deadline you have indicated below. We will provide the information just as soon as we can, in a reasonable time frame, given all of the requests we have to complete in addition to this enormous request.

Hope you have good weekend.

Shauna

---

**From:** Luong, Hoan - OFCCP [mailto:Luong.Hoan@dol.gov]  
**Sent:** Friday, August 28, 2015 2:06 PM  
**To:** Shauna Holman Harries (shauna.holman.harries@oracle.com)  
**Cc:** Atkins, Hea Jung K - OFCCP  
**Subject:** RE: Oracle Redwood Shores  
**Importance:** High

Hi Shauna,

Per Hea Jung's email to you on August 26, 2015, please submit compensation database provided on June 16, 2015 with January 1, 2013 snapshot date, with the following additional information, and any other relevant compensation information and factors affecting pay, added in separate columns:

1. Names of school attended
2. Education degree earned
3. Prior salary immediately before joining Oracle
4. Performance evaluation rating
5. Rank (by performance)
6. Years of experience before joining Oracle
7. Hiring manager(s)
8. Amount of signing bonus
9. Visa status
10. Type of visa, including but not limited to HIB
11. Date (mm/dd/yyyy) that the visa was initially processed
12. Current status of visa
13. Date (mm/dd/yyyy) that green card/permanent resident card was processed.
14. Bonus amount
15. Bonus type, and
16. Stock level.

Please provide the above request to OFCCP **no later than Friday, September 4, 2015**. Feel free to contact me if you have any questions or concern.

Thank you,

Hoan Luong  
Sr. Compliance Officer  
U.S. Department of Labor - OFCCP  
90 7th Street, Suite 11-100  
San Francisco, CA 94103  
Phone: (415) 625-7835  
E-mail: [Luong.Hoan@dol.gov](mailto:Luong.Hoan@dol.gov)

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**From:** Atkins, Hea Jung K - OFCCP  
**Sent:** Wednesday, August 26, 2015 2:16 PM  
**To:** Shauna Holman Harries ([shauna.holman.harries@oracle.com](mailto:shauna.holman.harries@oracle.com))  
**Cc:** Luong, Hoan - OFCCP  
**Subject:** Oracle Redwood Shores

Hi Shauna,

We haven't received responses to the attached letter. Please advise. For example, during the Pleasanton onsite, you advised we would be receiving part of #5 the week of August 3 but we haven't received it yet. As part of #3 attached, could you please provide wage information for snapshot date 1/1/13, containing all fields already submitted for snapshot date 1/1/14?

Thank you,  
Hea Jung

# EXHIBIT R

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:05:01 PM  
**Subject:** HQCA 1 of 29  
**Attachments:** HQCA Compensation Report no Vlookup with extra visa data 10-22-15.xlsx; HQCA Ranking Report 2013 no vlookup.xlsx

Hi Hoan. Responsive data and documents will be sent to you in a number of emails due to the amount of information we are submitting. We address specific requests below.

On your added October 14<sup>th</sup> requests, you asked for a large number of new items as part of your many requests for information. Gathering this information will take considerably more time. We will have to get back with you as to when we will be able complete these additional requests and also note any concerns we have with these requests. In addition to our very heavy work load, one of our compliance team members is away on leave.

1. Internal pay equity analysis conducted during the past three years, as required under 41 C.F.R. § 60-2.17. For each analysis, include the date of analysis, dataset used for the analysis, and actions taken, if any, as a result of the analysis. This item was previously requested on 11/19/14 with follow up requirements made on 1-22-15, 2-10-15, 4-17-15, 5-11-15, 5-19-15 and 5-28-15.

We have responded previously. We note that this request was part of a larger request that we initially responded to on December 11, 2014. In her telephone interview with Brian Mikel and Jennifer Yeh on January 13, 2015, our compensation director, Lisa Gordon, talked about the process followed to evaluate compensation at Oracle. We sent the final version of the notes of that interview to Mr. Mikel and Ms. Yeh on February 10, 2015. We again addressed our pay equity analysis in an email sent to Hea Jung Atkins on June 2, 2015.

2. Resubmit compensation database provided on 6-16-15 with 1-1-14 snapshot date, with the following additional information, and any other relevant compensation information and factors affecting pay, added in separate columns:

HQCA Ranking Report 2013 no vlookup.xlsx and HQCA Expanded Compensation October 2015 completed.xlsx You ask for any other "relevant compensation and factors." We do not know what you mean in light of prior responses and due to OFCCP not providing any information on its areas of focus. Please see prior responses, requests, and concerns.

- Names of school attended We don't have this data in any database and if it is available in an individual employee's file it would be extremely burdensome and time consuming to compile.
- Education degree earned See response to first bullet.
- Prior salary immediately before joining Oracle See prior response.
- Performance evaluation rating 2013 data in spreadsheet.
- Rank (by performance) HQCA Ranking Report 2013 no vlookup.xlsx
- Years of experience before joining Oracle See response to first bullet. In addition, please note that "years of experience" is unclear.
- Hiring manager(s) Added to compensation database (cell R).
- Amount of signing bonus We broke out all the bonus types for 2013, including Sign on Bonus, (cells BY-CO).
- Visa status See HQCA Compensation Report no Vlookup with extra visa data 10-22-15.xlsx
- Type of visa, including but not limited to HIB It is in the base (cell K).
- Date (mm/dd/yyyy) that the visa was initially processed See HQCA Compensation Report no Vlookup with extra visa data 10-22-15.xlsx
- Current status of visa Same as Visa Status.
- Date (mm/dd/yyyy) that green card/permanent resident card was processed. See HQCA Compensation Report no Vlookup with extra visa data 10-22-15.xlsx
- Bonus amount It is in the base 2013 (cells BY-CO).
- Bonus type, and It is in the base 2013 (cells BY-CO).
- Stock level. It is in the base (cell CY).

Some of this information was initially requested on 11-19-14 and 2-10-15. Most recent status requests were made on 4-27-15, 5-11-15, 5-19-15, and 5-28-15.

These requests appear to be duplicate and/or overlapping. We submitted compensation for the varying requests the OFCCP has made on 12-11-14 spreadsheet, 12-15-14 spreadsheet, 2-20-15 spreadsheet, 2-26-15 Training, 3-17-15 spreadsheet, 5-14-15 compensation workbench information, 6-16-15 spreadsheet.

4. Employee personnel actions containing job and salary information and history for all employees and student interns. This information should include, but not be limited to, starting wages, wage increases, bonus awards, job title hired into, starting stock level, job title and supervisor changes, stock level changes, promotion history, performance evaluations, ranking information, with dates associated for each action. The salary history information was originally requested on 2-10-15. Other items were requested on 4-27-15. Status requests were made on 5-11-15, 5-19-15, and 5-28-15.

We submitted compensation for the varying requests the OFCCP has made on 12-11-14 spreadsheet, 12-15-14 spreadsheet, 2-20-15 spreadsheet, 2-26-15 Training, 3-17-15 spreadsheet, 5-14-15 compensation workbench information, 6-16-15 spreadsheet. I don't understand the need or basis for this enormous amount of additional information. It is extremely burdensome and time consuming to compile. Are there specific issues/persons about whom you have a concern? If so, please give those to me.

5. For all employees who were hired during the period of 1-1-13 thru 6-30-14, resubmit the applicant flow log submitted on 2-19-15 to include the following in separate columns: Don't track on applicant information
  - a. Visa status (yes/no) We do not ask Visa status on the Oracle application and thus Visa status is not shown on the applicant flow log.
  - b. If they are on visa status, include type of visa. We do not ask Visa status on the Oracle application and thus Visa status is not shown on the applicant flow log.

Request for visa status was initially made on 11-19-14. Status requests were made on 4-27-15, 5-11-15, 5-19-15, and 5-28-15.

The initial request for Visa status was made on 11-19-14 under the category of National Origin. Oracle does not collect information on National Origin. A request for H1B Visa was made by Milton Crossland on 2-10-15. Oracle provided the H1B information for its HQCA location on March 17. The data you have asked for in the past has been on existing employees and not applicants; however, with that said, we do not collect visa information on applicants. We are not aware of any federal regulation that requires contractors to collect visa information on applicants, and as such, we would not collect information of this type unless we had a use for it under federal regulations.

6. Applicant flow log for all hires during the period of 1-1-12 thru 12-31-12.

We do not understand the basis or rationale for all of the detail in this request. Please explain. Moreover, some of this information, if available, is burdensome and time consuming to compile.

- First and Last name
- Sex
- Race/Ethnicity
- Visa Status (yes/no) Not included on applicant flow log.
- If they are on visa status, include type of visa. Not included on applicant flow log.
- Job Title
- Job Group
- Department
- Vacancy/Requisition Number
- Disposition Code
- Date of Hire
- Date of Application
- Name and job title of the hiring manager for each vacancy/requisition

7. Please resubmit the Resume Files that were sent on 3/26/15, in an easy to read format. The picture-format resumes pasted on MS Word is not legible. This information was requested on 4-27-15 with follow-up requests on 5-11-15, 5-19-15, and 5-28-15.

These files are available in no other format. See our responses on 6-7-15 and 6-10-15.

With regard to this request, we told you there is no other format we can use to submit resumes and applications and that we would have to rely on screen shots pasted into a word or pdf document. In fact, we completed a lengthy time motion study carefully outlining the amount of time that this request will take. When we talked to you in person at the second HQCA onsite audit we told you it could take 6 months to a year to complete this request. We explained how onerous this process is on 6-7-15 and sent you the process workflow on 6-10-15.

8. For all applicants and hires in the Software Developer 1-5 job titles from January 1, 2012 to June 30, 2014, please provide the following:

Done with SD 4, 5, and interns. Thumb drive with interns recently sent to Hea Jung Atkins. SD 4 and 5 sent several months ago. Working on SD 1, 2 and 3. The employee working on this item has gone out on a leave of absence. We do not know when he will be back. We may have to redo some of these items in order to complete this request.

- Copies of each requisition, including copies of each job posting and each job description.
- Copies of all applications, resumes and any and all supplemental information submitted by each applicant.
- Name and job title of the hiring manager for each requisition.
- Date of hire for each requisition.
- Name and ob title of individual hired for each requisition.

Some of this information was requested on 4-27-15 with follow-up requests made on 5-11-15, 5-19-15, and 5-28-15.

Please see information under #6. In addition, we have given you a large number of college hire resumes in paper format. The college hires we gave you the paper resumes for on 6-24-15 were not tracked through our online system. This is the reason why we were able to submit this group's resumes in paper format rather than in screen shots. We sent you a batch of Software Developer 4 and 5 resumes on 9-10-15 on a protected thumb drive. After discussing how long it will take to copy all of the resumes, you told us to focus on Software Developer 4 and 5. We just completed working on the student interns which were sent to you on a thumb drive last week. We are doing the best we can and have asked you (7-7-15 email and on HQCA onsite in June) if there was any way you could tell us about what areas you have the greatest concern so we could reduce the size of the request and gather the information you want sooner.

9. Please provide non-redacted personnel files of the following individuals:

We will provide this limited set of personnel files for off-site review with the understanding that such employee files normally are reviewed by OFCCP on site and Oracle does not normally send employee personnel files off-site due to confidentiality and employee privacy concerns. We agree to provide this limited set of files but request that once you make copies, or notes, of the personal files documents as you deem necessary and relevant for your review, you will either return to me the actual personnel files or confirm that you have destroyed them. Please note that employees' personal private contact information and social security numbers have been redacted. Any personal, private employee information we have may have inadvertently overlooked and not reacted is not intended as a waiver of any employee's privacy rights. See HR files copied in zip file.

- Anne Ephraim
- Anuradha Sri Mantripragda
- Bhagya Yalakshmi Veeraraghavan
- Bhagyalakshmi (Bhagya) Veeraraghavan
- Chandana Rattenhalli
- David Cheng-Rang Lin
- Donnalyn Marie Villadox
- Maryanne Gacusan
- Mitsuko Kashima
- Neha Sethi
- Nikhil Sabharwal
- Oksana Stepaneeva
- Oleg Golubtsov
- Ping Wan

- Guiling Sui
- Huong Thu Nguyen
- Ian Spandow
- James Clark
- John Barron
- Juan Oropeza
- Krishnaraj (Krishna) Nandakumar
- Manda Troung
- Vaishali Arun Chopde
- Praveen Mandya Narayana
- Rajesh Bella
- Sang Hatee
- Sarah S. Moskovitz
- Saxena Vishwadeep
- Shivani Gupta
- Sophia Tsay
- Sungpack Hong
- Sujnia H Lin

10. Contact information for all current and former employees during the review period, including home phone, cell phone, and personal email addresses. This request was initially made on 5-29-15. A follow-up request was made on 7-2-15.

We have addressed this request on 6-3-15 in an email to Hoan Luong in response to his very broad request that failed to distinguish the group of employees he wanted the information for. In our 6-3 email we asked for the basis of this request. We followed up on 7-7-15 in an email to Hea Jung Atkins again asking for the basis of this request. To date we have not received a response.

11. A list of current and former employees who have made internal and external discrimination, harassment or retaliation complaints or otherwise opposed any form of discrimination, harassment or retaliation at Oracle Redwood Shores (HQCA) during the last 3 years by: name, gender, race, national origin, job title, organization, discipline, profession.

We addressed this request in two different letters written by our outside counsel, Gary Siniscalco. The first letter was written to Brian Mikel on 3-31-15 and the second letter was written to Jane Suhr on 4-27-15.

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:05:26 PM  
**Subject:** HQCA 2 of 29  
**Attachments:** HQCA - Personnel File 1 Barron, John.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:06:09 PM  
**Subject:** HQCA 3 of 29  
**Attachments:** HQCA - Personnel File 2 Bella, Rajesh .zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:07:44 PM  
**Subject:** HQCA 4 of 29  
**Attachments:** HQCA - Personnel File 3 Chopde, Vaishali Arun.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**BCC:** Siniscalco, Gary R.; Damrell, Lauri A.  
**Sent:** 10/29/2015 9:08:35 PM  
**Subject:** HQCA 5 of 29  
**Attachments:** HQCA - Personnel File 4 - Clark, James.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:09:31 PM  
**Subject:** HQCA 6 of 29  
**Attachments:** HQCA - Personnel File 5 - Ephraim, Anne Therese.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:10:19 PM  
**Subject:** HQCA 7 of 29  
**Attachments:** HQCA - Personnel File 6 - Gacusan, Maryanne Martin.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:11:12 PM  
**Subject:** HQCA 8 of 29  
**Attachments:** HQCA - Personnel file 7 - Golubtsov, Oleg.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:11:59 PM  
**Subject:** HQCA 9 of 29  
**Attachments:** HQCA - Personnel File 8 - Gupta, Shivani.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:12:56 PM  
**Subject:** HQCA 10 of 29  
**Attachments:** HQCA - Personnel File 9 - Hong, Sungpack.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:13:48 PM  
**Subject:** HQCA 11 of 29  
**Attachments:** HQCA - Personnel File 10 - Kashima, Mitsuko.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:15:18 PM  
**Subject:** HQCA 12 of 29  
**Attachments:** HQCA - Personnel File 11 - Lin, David Cheng Fang.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

---

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---

**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Lida Daniel; Charles Nyakundi; Sean Smith; Kela Moon  
**Sent:** 10/29/2015 9:16:09 PM  
**Subject:** HQCA 13 of 29  
**Attachments:** HQCA - Personnel File 12 - Lin, Sunnia H.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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---

**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:18:01 PM  
**Subject:** HQCA 14 of 29  
**Attachments:** HQCA - Personnel File - 13 - Mantipragada, Anuradha Sri.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

Shauna Holman-Harries - Director Diversity Compliance  
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---

**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:18:46 PM  
**Subject:** HQCA 15 of 29  
**Attachments:** HQCA - Personnek File - 14 - Nandakumar, Krishnaraj (Krishna).zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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---

**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:19:43 PM  
**Subject:** HQCA 16 o 29  
**Attachments:** HQCA - Personnel File 15 - Narayana, Praveen Mandya.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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---

**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:21:07 PM  
**Subject:** HQCA 17 of 29  
**Attachments:** HQCA - Personnel File - 16 - Nguyen, Huong Thu.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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---

**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**BCC:** Siniscalco, Gary R.; Damrell, Lauri A.  
**Sent:** 10/29/2015 9:21:53 PM  
**Subject:** HQCA 18 of 29  
**Attachments:** HQCA - Personnel File 17 - Oropeza, Juan.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

Shauna Holman-Harries - Director Diversity Compliance  
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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:24:37 PM  
**Subject:** HQCA 19 of 29  
**Attachments:** HQCA - Personnel File 18 - Rattehalli, Chandana.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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---

**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:25:26 PM  
**Subject:** HQCA 20 of 29  
**Attachments:** HQCA - Personnel File 19 - Nikhil Sabharwal.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:26:51 PM  
**Subject:** HQCA 21 of 29  
**Attachments:** HQCA - Personnel File 20 - Saxena, Vishwadeep.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:27:46 PM  
**Subject:** HQCA 22 o 29  
**Attachments:** HQCA - Personnel File 21 Sethi, Neha.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:28:59 PM  
**Subject:** HQCA 23 of 29  
**Attachments:** HQCA - Personnel Files 22 - Spandow, Ian.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:30:11 PM  
**Subject:** HQCA 24 of 29  
**Attachments:** HQCA - Personnel File 23 - Stepaneeva, Oksaa.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:32:36 PM  
**Subject:** HQCA 25 of 29  
**Attachments:** HQCA - Personnel File 24 - Sue, Guiling.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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---

**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:33:45 PM  
**Subject:** HQCA 26 of 29  
**Attachments:** HQCA - Personnel File 25 - Tsay, Sophia.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:35:07 PM  
**Subject:** HQCA 27 of 29  
**Attachments:** HQCA - Personnel File 26 - Veeraraghavan, Bhagyalakshmi (Bhagya).zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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---

**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**BCC:** Siniscalco, Gary R.; Damrell, Lauri A.  
**Sent:** 10/29/2015 9:36:06 PM  
**Subject:** HQCA 28 of 29  
**Attachments:** HQCA - Personnel File 27 - Villados, Donnalyn Marie.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**CC:** Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Sent:** 10/29/2015 9:37:32 PM  
**Subject:** HQCA 29 of 29  
**Attachments:** HQCA - Personnel File 28 - Wan, Ping.zip

Best Regards,  
Shauna Holman-Harries

**ORACLE**

Shauna Holman-Harries - Director Diversity Compliance  
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# EXHIBIT S

**U.S. Department of Labor**

Office of Federal Contract Compliance Programs  
Greater San Francisco/Bay District Office  
907<sup>th</sup> Street, Suite 11-100  
San Francisco, California 94103



*Certified Mail, Return Receipt Requested AND Electronic Mail*

November 2, 2015

Shauna Holman-Harries  
Director Diversity Compliance  
Oracle America, Inc.  
500 Oracle Parkway  
Redwood Shores, CA 94065

Dear Ms. Holman-Harries:

This correspondence will serve as the Agency's final request for documents in connection with the U.S. Department of Labor, Office of Federal Contract Compliance Program's ("OFCCP") equal employment opportunity and affirmative action compliance evaluation of Oracle America, Inc. ("Oracle") at Redwood Shores. As noted below, despite the Agency's repeated requests for relevant documents over nearly a one-year period, Oracle has continued to disregard the federal government's requests and its related deadlines.

Oracle shall provide complete and accurate records responsive to the Agency's outstanding requests by **November 9, 2015**, as noted below. If such complete and accurate information is not received by this final deadline, the Agency will be forced to proceed with the compliance evaluation based upon the presumption that the information not provided would have been unfavorable to Oracle, pursuant to 41 C.F.R. §60-1.12(e).

1. Internal Pay Equity Analysis: Analyses conducted during the past three years, as required under 41 C.F.R. §60-2.17. For each analysis, include the date of analysis, dataset used for the analysis, and actions taken, if any, as a result of the analysis.

This item was previously requested on 11/19/2014, 01/22/2015, 01/28/2015, 04/27/2015, 05/11/2015 and 05/28/2015. The missed deadlines were 11/26/2014, 01/28/2015, and 05/08/2015.

2. Compensation Database (Snapshot 01/01/2014): Resubmit compensation database provided on 06/16/2015 with 01/01/2014 snapshot date, with the following additional information, and any other relevant compensation information and factors affecting pay, added in separate columns:
  - Name of school attended
  - Educational degree earned
  - Prior salary immediately before joining Oracle
  - Years of experience before joining Oracle

This information was requested on 11/19/2014, 02/10/2015, 04/27/2015, 05/11/2015, 05/28/2015, 07/30/2015, and 10/14/2015. The missed deadlines were 11/26/2015, 2/27/2015, 05/08/2015, 08/14/2015 and 10/21/2015.

3. Compensation Database (Snapshot 01/01/2013): Submit compensation database by including all the factors in the 01/01/2014 snapshot compensation database, and to include the following:
- Names of school attended
  - Education degree earned
  - Prior salary immediately before joining Oracle
  - Performance evaluation rating
  - Rank (by performance)
  - Years of experience before joining Oracle
  - Hiring manager(s)
  - Amount of signing bonus
  - Visa status
  - Type of visa, including but not limited to HIB
  - Date (mm/dd/yyyy) that the visa was initially processed
  - Current status of visa
  - Date (mm/dd/yyyy) that green card/permanent resident card was processed.

This information was requested on 07/30/2015, 08/28/2015, 09/21/2015, 10/01/2015 and 10/14/2015. The missed deadlines were 08/14/2015, 09/04/2015 and 10/21/2015.

4. Employee Personnel Actions: Employee personnel actions containing job and salary information and history for all employees and student interns. This information should include, but not be limited to, starting wages, wage increases, bonus awards, job title hired into, starting stock level, job title and supervisor changes, stock level changes, promotion history, performance evaluations, ranking information, with dates associated for each action.

This information was requested on salary history information were made on 02/10/2015, 04/27/2015, 05/11/2015, 05/28/2015, and 10/14/2015. The missed deadlines were on 02/27/2015, 05/08/2015 and 10/21/2015.

5. Applicant Flow Database (01/01/2013 – 06/30/2014): For all employees who were hired during the review period 01/01/2013 – 06/30/2014, resubmit the applicant flow database from the 02/19/2015 submission to include the factors below in separate columns:
- Visa Status (yes/no)
  - If they are on visa status, include type of visa
  - Date of Hire
  - Date of Application
  - Name and job title of the hiring manager (s) for each vacancy/requisition.
  - Job title applied to and hired into
  - Vacancy applied to and hired into

- Global career level applied to and hired into
- Job function applied to and hired into
- Specialty applied to and hired into
- Group name applied to and hired into
- Education Institution
- Type of degree (e.g., no degree, high school, associate, bachelor's, master's, PhD)
- Degree majored in (e.g., computer science, systems software, finance, accounting, etc.)
- Location Preference

The request was made on 10/14/2015 and the deadline missed was 10/21/2015.

6. Applicant Flow Database (01/01/2012 – 12/31/2012): Submit applicant flow log for all hires during the period of 01/01/2012 – 12/31/2012 including the factors below in separate columns.

- First and Last Name
- Sex
- Race/Ethnicity
- Visa Status (yes/no)
- If they are on visa status, include type of visa
- Job Title
- Job Group
- Department
- Vacancy/Requisition Number
- Disposition Code
- Date of Hire
- Date of Application
- Name and job title of the hiring manager (s) for each vacancy/requisition

This information was requested on 07/30/2015, 10/01/2015 and 10/14/2015. The missed due dates were 08/14/2015 and 10/21/2015.

In addition to the factors above, please also include the factors below per the 10/14/2015 request:

- Job title applied to and hired into
- Vacancy applied to and hired into
- Global career level applied to and hired into
- Job function applied to and hired into
- Specialty applied to and hired into
- Group name applied to and hired into
- Education Institution
- Type of degree (e.g., no degree, high school, associate, bachelor's, master's, PhD)
- Degree majored in (e.g., computer science, systems software, finance, accounting, etc.)
- Location Preference

7. **Labor Condition Applications (LCAs):** OFCCP has received five (5) batches of LCAs from Oracle, which contain 413 LCAs for 832 employees. Oracle has not submitted all remaining LCAs to OFCCP.

This information was requested on 06/24/2015, 07/27/2015, 09/02/2015, 09/29/2015, 10/01/2015 and 10/14/2015. The missed deadlines were 10/02/2015 and 10/21/2015.

8. **Documents for Hiring:** For all applicants and hires in the Software Developer job titles from 01/01/2012 – 06/30/2014, please provide the following:
- Copies of each requisition, including copies of each job posting and each job description
  - Copies of all applications, resumes and any and all supplemental information submitted by each applicant
  - Name and job title of the hiring manager(s) for each requisition

Requests made on 4/27/2015, 05/11/2015, 05/28/15/2015, 07/30/2015, 10/01/2015 and 10/14/2015. The missed deadlines were 05/08/2015, 08/14/2015 and 10/21/2015.

To date, OFCCP has only received applications and resumes for Software Developers 4-5 and Student Interns.

9. **Resume Files:** Please resubmit the Resume Files that were sent on 03/26/2015, in an easy to read format. The picture-format resumes pasted on MS Word is not legible.

This information was requested on 04/27/2015, 05/11/2015, 05/28/15, 07/30/2015, and 10/14/2015. The missed deadlines were 05/08/2015, 08/14/2015 and 10/21/2015.

10. **Employee Contact Information:** Contact information for all current and former employees during the review period, including home phone, cell phone, and personal email addresses.

The requests were made 05/29/2015, 07/02/2015 and 10/14/2015. The missed deadlines were 06/05/2015, 07/10/2015 and 10/21/2015.

11. **Internal and External Complaints:** A list of current and former employees who have made internal and external discrimination, harassment or retaliation complaints or otherwise opposed any form of discrimination, harassment or retaliation at Oracle Redwood Shores (HQCA) during the last 3 years by: name, gender, race, national origin, job title, organization, discipline, profession.

The requests were made on 03/04/15, 03/24/2015, 03/26/2015, 04/15/2015 and 10/14/2015. The missed deadlines were 03/23/2015, 04/24/2015 and 10/21/2015.

12. **Personnel Records:** Please provide non-redacted personnel files of the following individuals:
- Anne Ephraim
  - Anuradha Sri Mantripragada

- Bhagya Yalakshmi Veeraraghavan
- Chandana Rattehalli
- David Cheng-Fang Lin
- Donnalyn Marie Villados
- Guiling Sui
- Huong Thu Nguyen
- Ian Spadow
- James Clark
- John Barron
- Juan Oropeza
- Krishnaraj (Krishna) Nandakumar
- Mandy Troung
- Maryanne Gacusan
- Mitsuko Kashima
- Neha Sethi
- Nikhil Sabharwal
- Oksana Stepaneeva
- Oleg Golubtsov
- Ping Wan
- Praveen Mandya Narayana
- Rajesh Bella
- Sang Hatee
- Sarah S. Moskovitz
- Saxena Vishwadeep
- Shivani Gupta
- Sophia Tsay
- Sungpack Hong
- Sunnia H Lin
- Vaishali Arun Chopde

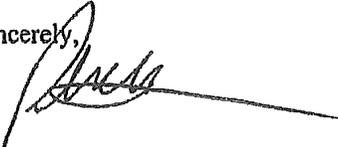
Requests were made on 07/30/2015 and 10/14/2015. The missed deadlines were 08/14/2015 and 10/21/2015.

\*\*\*\*\*

OFCCP continues to welcome Oracle's cooperation in completing the Agency's compliance evaluation of its Headquarters at Redwood Shores. Accordingly, the Agency requests that Oracle submit complete and accurate records responsive to the outstanding requests by **November 9, 2015**. If such complete and accurate information is not received by this final deadline, the Agency will be forced to proceed with the compliance evaluation based upon the presumption that the information not provided would have been unfavorable to Oracle, pursuant to 41 C.F.R. §60-1.12(e).

If you have any questions regarding this matter, please contact me at (310) 268-1247.

Sincerely,



Robert A. Doles  
Acting District Director  
San Francisco District Office

cc: Shauna Holman-Harries (Shauna.Holman.Harries@oracle.com)

Gary R. Siniscalco  
Orrick, Herrington & Sutcliffe LLP  
405 Howard Street  
San Francisco, CA 94105-2669

# EXHIBIT T

**From:** Shauna Holman Harries  
**To:** Luong, Hoan - OFCCP  
**Cc:** Vickie Thrasher; Neil Bourque; Charles Nyakundi; Lida Daniel; Sean Smith; Kela Moon; Doles, Robert - OFCCP  
**Subject:** RE: Oracle HQCA  
**Date:** Tuesday, November 03, 2015 1:57:42 PM

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Hi Hoan. I must confess I am confused by your 5:03 p.m. PST (6:03 p.m. MST) email last night. First let me review my understanding of what has transpired since October 29 when we sent you an extensive response and accompanying materials, including the 29 files with only personal private information redacted.

At 11:50 a.m. yesterday (Nov 2) you sent me a short email attaching what I understood to be an advance, courtesy copy of a letter, dated November 2 and addressed to me from Mr. Doles in the San Francisco Regional Office. Following receipt of your email, I replied to you at 1:30 p.m., suggesting that Mr. Doles' letter likely was due to him being uninformed about our October 29 submission to you. In response to my email you called me at approximately 1:38 p.m. PST (2:38 p.m. in Arizona). I called you back at 1:40 p.m. PST (2:40 p.m. in Arizona). We spoke for approximately 20 minutes. We discussed a number of things about the October 29 submission. I will focus here only on the personal files/redaction topic that we discussed.

I explained what was redacted and why (personal private employee information such as social security numbers, personal home info,) due to what we believe is the employee's right to privacy. We did not redact any employment related information. I said if you had a concern about those redactions please send your specific concerns in writing and that I would need to raise them with Legal.

Shauna

**From:** Luong, Hoan - OFCCP [mailto:Luong.Hoan@dol.gov]  
**Sent:** Monday, November 02, 2015 6:03 PM  
**To:** Shauna Holman Harries  
**Cc:** Vickie Thrasher; Neil Bourque; Charles Nyakundi; Lida Daniel; Sean Smith; Kela Moon; Doles, Robert - OFCCP  
**Subject:** RE: Oracle HQCA

Dear Shauna,

The twenty nine (29) emails that you sent me on October 29, 2015 were neither complete nor accurate responses to our data requests referenced in our letter issued this morning. I am available to discuss any clarifications as needed.

Thank you,

Hoan Luong  
Sr. Compliance Officer/Acting Assistant District Director

U.S. Department of Labor - OFCCP  
90 7th Street, Suite 11-100  
San Francisco, CA 94103  
Phone: (415) 625-7835  
E-mail: [Luong.Hoan@dol.gov](mailto:Luong.Hoan@dol.gov)

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---

**From:** Shauna Holman Harries [<mailto:shauna.holman.harries@oracle.com>]  
**Sent:** Monday, November 02, 2015 1:30 PM  
**To:** Luong, Hoan - OFCCP  
**Cc:** Vickie Thrasher; Neil Bourque; Charles Nyakundi; Lida Daniel; Sean Smith; Kela Moon  
**Subject:** RE: Oracle HQCA

Dear Hoan, thank you for forwarding Mr. Doles' letter. I assume that he was unaware that we responded to these requests last week in the series of twenty-nine emails to you dated October 29, 2015 between 2:05 p.m. to 2:38 p.m. Please confirm your receipt of our 29-part email response and please confirm that you have so informed Mr. Doles. Thanks for your attention to this. If you or he have any other questions, please let me know.

Best Regards,  
Shauna Holman-Harries

ORACLE

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

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**From:** Luong, Hoan - OFCCP [<mailto:Luong.Hoan@dol.gov>]  
**Sent:** Monday, November 02, 2015 11:50 AM  
**To:** Shauna Holman Harries ([shauna.holman.harries@oracle.com](mailto:shauna.holman.harries@oracle.com))  
**Subject:** Oracle HQCA  
**Importance:** High

Ms. Holman-Harries,

Please see attached letter.

# EXHIBIT U

---

**From:** Shauna Holman Harries <shauna.holman.harries@oracle.com>  
**To:** Doles, Robert - OFCCP <Doles.Robert@dol.gov>  
**Sent:** 11/6/2015 6:16:53 PM  
**Subject:** HQCA Response

Dear Mr. Doles,

This email acknowledges receipt on Nov 5 of your Nov 2 letter. Please see my November 2 email to Hoan Luong. If not already done, he can also provide you with our Oct 29 response. After coordinating with him, if you still have concerns, please let me know.

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

---

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# EXHIBIT V

**From:** Shauna Holman Harries  
**To:** Mikel, Brian L - OFCCP  
**Cc:** Luong, Hoan - OFCCP; Atkins, Hea Jung K - OFCCP; Neil Bourque; Lida Daniel; Bill Couch  
**Subject:** RE: Oracle HQCA Onsite  
**Date:** Friday, February 27, 2015 2:45:20 PM

---

Thanks Brian. While we understand the general areas you may want to cover, it would really be helpful to know ASAP what you are looking at. Tentatively, we are looking at a start on March 24, but still need to find out senior management availability for the entrance conference.

Below you mention that the on-site will include areas of hiring, promotion, termination and compensation. However, we have not been informed of any OFCCP concerns in any of these areas. In order to identify the right people and confirm interview availability, we request that you provide specifics on any identified concerns in these areas and identify topics you will want to cover. With regard to related records/documents, we can of course work on them regardless of the date of the on-site, but again, we really need considerable advance notice to identify and pull available records.

Shauna

**From:** Mikel, Brian L - OFCCP [mailto:Mikel.Brian@dol.gov]  
**Sent:** Thursday, February 26, 2015 5:55 PM  
**To:** Shauna Holman Harries  
**Cc:** Luong, Hoan - OFCCP; Atkins, Hea Jung K - OFCCP  
**Subject:** RE: Oracle HQCA Onsite

Hi Shauna,

Thank you for your response. We would like to confirm a start date and expected duration and we can coordinate the interview schedule throughout the next several weeks. The duration will entirely depend on our ability to confirm interview schedules but we would like to block off the full week.

The issues that warrant further investigation include areas of hiring, promotion, termination and compensation. Therefore, we need to interview managers, supervisors and HR responsible for administering compensation and hiring for several lines of business. We will also need to interview employees individually in the these lines of business.

The types of documents that we may want to review could include (but are not limited to) employee/manager personnel files, applications/resumes, interview notes, copies of discrimination complaints filed, copies of accommodation requests. We will provide a more detailed list once the onsite date is confirmed.

Thank you for your cooperation and we look forward to your prompt reply.

Regards,  
Brian

**From:** [Shauna Holman Harries](#)  
**To:** [Luong Hoan - OFCCP](#)  
**Cc:** [Doles, Robert - OFCCP](#); [Neil Bourque](#); [Sean Smith](#); [Charles Nyakundi](#); [Lida Daniel](#); [Bill Couch](#); [Kela Moon](#); [Vickie Thrasher](#)  
**Subject:** RE: Oracle HQCA (Redwood Shores, CA) // hiring data  
**Date:** Thursday, December 17, 2015 1:44:05 PM

---

Hi Hoan, in your December 16 email you asked for a considerable amount of information that is not in any electronic database. Responding to all these items will take an enormous amount of time and would be extremely burdensome for us to research and compile. Recall that for a smaller request from Hea Jung I provided a time chart describing what that effort would entail. This would require even more.

I would need to understand better the rationale and basis for this request before committing to such an effort. Perhaps you can identify specific job requisitions during the audit review period about which you have a concern, and identify the concern. This might help to narrow the amount of work and allow us to see whether and how we might address a more focused request.

Shauna

**From:** Luong, Hoan - OFCCP [<mailto:Luong.Hoan@dol.gov>]  
**Sent:** Wednesday, December 16, 2015 1:46 PM  
**To:** Shauna Holman Harries ([shauna.holman.harries@oracle.com](mailto:shauna.holman.harries@oracle.com))  
**Cc:** Doles, Robert - OFCCP  
**Subject:** Oracle HQCA (Redwood Shores, CA) // hiring data

Dear Ms. Holman-Harries,

Thank you for submitting hiring data for Software Developers 1-5 and Student Interns. Please also submit the following data for all remaining Technical Professionals, Individual Contributors (PT1 group) for the period January 1, 2012 through June 30, 2014:

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

Please provide the requested items no later than [Monday, January 11, 2016](#).

Thank you,

Hoan Luong

# EXHIBIT W

**Luong, Hoan - OFCCP**

---

**From:** Doles, Robert - OFCCP  
**Sent:** Wednesday, March 16, 2016 10:36 AM  
**To:** Shauna Holman Harries  
**Cc:** Luong, Hoan - OFCCP; Atkins, Hea Jung K - OFCCP  
**Subject:** RE: Receipt of Letter - HQCA

Thank you Shauna. Please let us know when we could expect to receive Oracle's position statement and subsequently initiate conciliation discussions.

**From:** Shauna Holman Harries [<mailto:shauna.holman.harries@oracle.com>]  
**Sent:** Tuesday, March 15, 2016 5:19 PM  
**To:** Doles, Robert - OFCCP  
**Cc:** Vickie Thrasher; Neil Bourque; Charles Nyakundi; Lida Daniel; Kela Moon; Sean Smith  
**Subject:** Receipt of Letter - HQCA

Dear Mr. Doles,

I am sending you this email to acknowledge receipt of your letter of March 11, 2016. We look forward to engaging with you to resolve this matter.

Best Regards,  
Shauna Holman-Harries



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

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# EXHIBIT X

**Luong, Hoan - OFCCP**

---

**m:** Shauna Holman Harries <shauna.holman.harries@oracle.com>  
**at:** Friday, March 18, 2016 11:36 AM  
**To:** Doles, Robert - OFCCP  
**Cc:** Luong, Hoan - OFCCP; Atkins, Hea Jung K - OFCCP; Neil Bourque; Charles Nyakundi; Lida Daniel; Sean Smith; Kela Moon; Bill Couch  
**Subject:** RE: Receipt of Letter - HQCA

Dear Mr. Doles,

I received your request for a position statement. But I'm afraid we don't understand the request or the timing.

We are not aware of any requirement to provide a position statement at this point in the process. Our understanding of the process according to Section 8G01 of the FCCM is that "conciliation discussions may involve various methods of communication including the exchange of letters and emails, telephone conferences and in person meetings." Nothing seems to call for a position statement at this point in time.

The agency failed to advise Oracle of any findings in advance of issuing a Notice of Violation. This seems in violation of Section 2P00 of the FCCM which states "After advising the contractor of its compliance evaluation findings, the CO must provide formal notification through a Predetermination Notice or Notice of Violation"). Therefore we are at a complete loss in understanding how the agency arrived at its findings. Moreover, given what is contained in your March 11 letter and the attached summary data analysis, we have insufficient basis upon which to prepare a position statement.

We do, of course, have many questions and concerns about the findings and your various references to the compliance review process, our data submissions, and your various statements about refusal and access. Before we can offer a meaningful statement of position we will need to address these various issues and gain a better understandings of the facts on which you relied.

In terms of timing, I'm sure you are aware of the many outstanding OFCCP evaluations being conducted by the agency. We can't do multiple things, or be in multiple places, simultaneously given the numerous reviews. My team and I are working with other OFCCP offices on on-sites (next week we have one on the east coast), and we are dealing with numerous information requests prior to scheduling five other on-sites.

I'm open to your thoughts and suggestions on how best to proceed. In the meantime, it would be helpful if you would provide the following:

The details of each data analysis referenced in your letter; information you believe was destroyed or required records that OFCCP believes were not kept (leading to your presumption that such information was unfavorable); and record documentation of refusals you reference.

Your response to the foregoing would be a useful start to help us to better understand your findings.

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**Luong, Hoan - OFCCP**

---

**From:** Doles, Robert - OFCCP  
**Sent:** Tuesday, March 29, 2016 3:05 PM  
**To:** 'Shauna Holman Harries'  
**Cc:** Luong, Hoan - OFCCP; Atkins, Hea Jung K - OFCCP; Neil Bourque; Charles Nyakundi; Lida Daniel; Sean Smith; Kela Moon; Bill Couch  
**Subject:** RE: Receipt of Letter - HQCA  
**Attachments:** Pending Information Requests.docx

Dear Ms. Holman-Harries:

This responds to your email communication dated March 18, 2016.

Your email communication indicates that the Agency failed to advise Oracle of any findings in advance of issuing the Notice of Violations on March 11, 2016, in violation of the FCCM. We disagree.

During the entrance conference held on March 24, 2015, OFCCP discussed with you and other Oracle representatives the preliminary indicators and areas of concern at issue in the compliance evaluation, including Oracle's compensation and hiring practices. At the exit conference held on March 27, 2015, OFCCP informed you and Neil Bourque that the Agency would conduct further analysis and any Agency findings would be issued in a formal notice. Upon conclusion of the follow-up onsite review on June 25, 2015, OFCCP informed you and Oracle representatives Neil Bourque, Charles Nyakundi, and outside counsel Gary Siniscalco that the Agency would review the information collected and conduct further analysis to determine its findings. On December 22, 2015, OFCCP also indicated to you that additional information was needed to further investigate potential violations.

Throughout the compliance evaluation process, OFCCP also requested that Oracle comply with all outstanding data requests (see attachment), some of which had been pending since November 19, 2014 and also indicated the Agency's preliminary indicators and areas of concern. Despite numerous follow-up requests and deadline extensions, OFCCP's information requests were met with unsubstantiated objections or were simply ignored.

At this stage, OFCCP is prepared to engage in a meaningful, good faith and timely conciliation process in order to attempt to reach an acceptable resolution of the Notice of Violations. During conciliation discussions, OFCCP will address any questions or concerns you or other Oracle representatives may have about our findings. OFCCP also asks that Oracle provide a representative who is prepared to discuss in detail Oracle's rebuttal position and analysis to the Notice of Violations, which should clearly set forth, through evidence, how the Agency's analysis is flawed or how the observed disparities are explained by legitimate, nondiscriminatory reasons or business necessity. Argument of counsel, affirmations of good faith in making individual decisions, and cohort comparisons are insufficient to rebut statistical evidence of systemic discrimination.

Please let us know whether an Oracle representative with decision-making authority and an Oracle representative with the requisite knowledge noted above will be available to meet during the week of April 18, 2016 to conciliate this matter. We look forward to hearing from you.

*Robert A. Doles, Esq.*  
*District Director*  
*Greater San Francisco Bay District Office*  
*Office of Federal Contract Compliance Programs*  
*7th Street, Suite 18-300*  
*San Francisco, CA 94103*  
*(310)268.1247*

[doles.robert@dol.gov](mailto:doles.robert@dol.gov)

**From:** Shauna Holman Harries [mailto:shauna.holman.harries@oracle.com]  
**Sent:** Friday, March 18, 2016 11:36 AM  
**To:** Doles, Robert - OFCCP  
**Cc:** Luong, Hoan - OFCCP; Atkins, Hea Jung K - OFCCP; Neil Bourque; Charles Nyakundi; Lida Daniel; Sean Smith; Kela Moon; Bill Couch  
**Subject:** RE: Receipt of Letter - HQCA

Dear Mr. Doles,

I received your request for a position statement. But I'm afraid we don't understand the request or the timing.

We are not aware of any requirement to provide a position statement at this point in the process. Our understanding of the process according to Section 8G01 of the FCCM is that "conciliation discussions may involve various methods of communication including the exchange of letters and emails, telephone conferences and in person meetings." Nothing seems to call for a position statement at this point in time.

The agency failed to advise Oracle of any findings in advance of issuing a Notice of Violation. This seems in violation of Section 2P00 of the FCCM which states "After advising the contractor of its compliance evaluation findings, the CO must provide formal notification through a Predetermination Notice or Notice of Violation"). Therefore we are at a complete loss in understanding how the agency arrived at its findings. Moreover, given what is contained in your March 11 letter and the attached summary data analysis, we have insufficient basis upon which to prepare a position statement.

We do, of course, have many questions and concerns about the findings and your various references to the compliance review process, our data submissions, and your various statements about refusal and access. Before we can offer a meaningful statement of position we will need to address these various issues and gain a better understandings of the facts on which you relied.

In terms of timing, I'm sure you are aware of the many outstanding OFCCP evaluations being conducted by the agency. We can't do multiple things, or be in multiple places, simultaneously given the numerous reviews. My team and I are working with other OFCCP offices on on-sites (next week we have one on the east coast), and we are dealing with numerous information requests prior to scheduling five other on-sites.

I'm open to your thoughts and suggestions on how best to proceed. In the meantime, it would be helpful if you would provide the following:

The details of each data analysis referenced in your letter; information you believe was destroyed or required records that OFCCP believes were not kept (leading to your presumption that such information was unfavorable); and record documentation of refusals you reference.

Your response to the foregoing would be a useful start to help us to better understand your findings.

Best Regards,  
Shauna Holman-Harries

**ORACLE**

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

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**From:** Doles, Robert - OFCCP <Doles.Robert@dol.gov>  
**To:** 'Shauna Holman Harries' <shauna.holman.harries@oracle.com>  
**CC:** Luong, Hoan - OFCCP <Luong.Hoan@dol.gov>; Atkins, Hea Jung K - OFCCP" <Atkins.HeaJung@dol.gov>; Neil Bourque <neil.bourque@oracle.com>; Charles Nyakundi <charles.nyakundi@oracle.com>; Lida Daniel <lida.daniel@oracle.com>; Sean Smith <sean.s.smith@oracle.com>; Kela Moon <kela.moon@oracle.com>; Bill Couch <william.couch@oracle.com>  
**Sent:** 3/29/2016 10:04:05 PM  
**Subject:** RE: Receipt of Letter - HQCA  
**Attachments:** Pending Information Requests.docx

Dear Ms. Holman-Harries:

This responds to your email communication dated March 18, 2016.

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*Robert A. Doles, Esq.*  
*District Director*  
*Greater San Francisco Bay District Office*  
*Office of Federal Contract Compliance Programs*  
*90 7th Street, Suite 18-300*  
*San Francisco, CA 94103*  
*(310)268.1247*

[doles.robert@dol.gov](mailto:doles.robert@dol.gov)

---

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**Sent:** Friday, March 18, 2016 11:36 AM  
**To:** Doles, Robert - OFCCP  
**Cc:** Luong, Hoan - OFCCP; Atkins, Hea Jung K - OFCCP; Neil Bourque; Charles Nyakundi; Lida Daniel; Sean Smith; Kela Moon; Bill Couch  
**Subject:** RE: Receipt of Letter - HQCA

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Best Regards,  
Shauna Holman-Harries

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Pending Information Requests

No.	Date(s) of Request	Data Requested	Status of Request
1	11/19/14; 1/22/15; 1/28/15; 04/27/15; 5/11/15; 5/28/15; 11/2/15	Internal pay equity analysis	Past due
2	11/19/14; 2/10/15; 4/27/15; 5/11/15; 5/28/15; 7/30/15; 10/14/15; 11/2/15	Compensation database, snapshot 01/01/2014, with name of school attended, educational degree earned, prior salary immediately before joining Oracle and years of experience before joining Oracle	Past due
3	7/30/15; 8/28/15; 9/21/15; 10/1/15; 10/14/15; 11/2/15	Compensation database, snapshot 01/01/2013	Past due
4	2/10/15; 4/27/15; 5/11/15; 5/28/15; 10/14/15; 11/2/15	Employee personnel actions (including wage increases, bonus awards, job title hired into, starting stock level, job title and supervisor changes, stock level changes, promotion history, performance evaluations, ranking information)	Past due
5	10/14/15; 11/2/15	Applicant flow database (01/01/13 – 06/30/14)	Past due
6	7/30/15; 10/1/15; 10/14/15; 11/2/15	Applicant flow database (01/01/12 – 12/31/12)	Past due
7	6/24/15; 7/27/15; 9/2/15; 9/29/15; 10/1/15; 10/14/15; 11/2/15	Labor Condition Applications and Public Access Files	LCAs for 71 out of 990 employees are past due
8	4/27/15; 5/11/15; 5/28/15; 7/30/15; 10/1/15; 10/14/15; 11/2/15	Hiring documents: copies of applications, resumes, requisitions, job postings, job descriptions, names and job titles of hiring managers for job group PT1.	Incomplete
9	7/30/15; 10/14/15; 11/2/15	Non-redacted personnel files	Incomplete
10	1/4/16	Signed manager interview statements	Past due
11	04/27/15; 05/11/15; 05/28/15; 07/30/15; 10/14/15; 11/02/15	Resubmit resume files in an easy to read format. The picture-format resumes that were pasted on MS Word are illegible	Past due
12	05/29/15; 07/02/15; 10/14/15; 11/02/15	Employee contact information	Past due
13	03/04/15; 03/24/15; 03/26/15; 04/15/15; 10/14/15; 11/02/15	Internal and external employee complaints	Past due

# EXHIBIT Y

**U.S. Department of Labor**

Office of Federal Contract Compliance Programs  
Pacific Regional Office  
90 7<sup>th</sup> Street, Suite 18-300  
San Francisco, California 94103



*Via Certified Mail, Return Receipt Requested*  
(#7015 0640 0001 7090 3364)

June 8, 2016

Safra A. Catz  
Mark Hurd  
Chief Executive Officers  
Oracle America, Inc.  
500 Oracle Parkway  
Redwood Shores, CA 94065

RE: COMPLIANCE EVALUATION OF ORACLE AMERICA, INC.,  
REDWOOD SHORES, CALIFORNIA; OFCCP NO. R00192699

Dear Ms. Catz and Mr. Hurd:

On March 11, 2016, the United States Department of Labor, Office of Federal Contract Compliance Programs ("OFCCP"), issued a Notice of Violations against Oracle America, Inc. ("ORACLE") based on the findings of our recent compliance evaluation of ORACLE in Redwood Shores, California. OFCCP conducted the compliance evaluation pursuant to ORACLE's status as a federal contractor subject to nondiscrimination and affirmative action regulations enforced by OFCCP.<sup>1</sup> During the compliance evaluation period to the present, ORACLE voluntarily assumed this status and related obligations in exchange for over \$300 million in federal contracts from American taxpayers.

<sup>1</sup> 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; 41 C.F.R. Part 60; *see also First Alabama Bank of Montgomery v. Donovan*, 692 F.2d 714, 716 n.1 (11th Cir. 1982)(Executive Order 11246 "imposes a duty on the contractor or subcontractor to establish and update annually a written affirmative action program, and provides for compliance investigations by the Department of Labor. Sanctions for non-compliance include referral to the Department of Justice for legal action, termination of existing government contracts, and debarment from future government contracts.").

Throughout the recent compliance evaluation, OFCCP reviewed and analyzed ORACLE's individual applicant and employee records, written policies and other information, and concluded that ORACLE engaged in systemic discrimination in recruiting, hiring and compensation practices at its headquarters. For example, OFCCP's analyses uncovered evidence that:

- ORACLE's recruiting practices resulted in systemic disparities against non-Asian applicants, particularly African American, Hispanic and White applicants, at -8, -10, and -80 standard deviations, respectively;
- ORACLE's hiring practices resulted in systemic disparities against non-Asian applicants, particularly African American, Hispanic and White applicants, at -4, -3, and -28 standard deviations, respectively; and
- ORACLE's compensation practices resulted in systemic disparities against African American, Asian American, American and female employees, at -2, -7, -7, and -8 standard deviations, respectively.<sup>2</sup>

To resolve the violations listed in the Notice of Violations, OFCCP attempted to engage ORACLE in a good faith and timely conciliation process on March 16, March 29, and April 21, 2016. ORACLE, however, dismissed the government's conciliation efforts.

For example, ORACLE refused to meet to discuss conciliation with any official from OFCCP. ORACLE also rejected OFCCP's request for a written rebuttal analysis or substantive response to the statistical evidence relied upon in the violations of the Notice. ORACLE instead conditioned its response upon receipt of answers from the Agency to nearly sixty contention questions, which sought the identification of each fact supporting each finding listed in the Notice; and information about every factor, model, iteration, and computation considered in its analysis at any time during the compliance evaluation; among other privileged information. ORACLE also withheld information about employee witnesses, complaints and other records from OFCCP.

ORACLE has not provided a substantive rebuttal analysis, based upon statistical evidence, to the violations of the Notice. ORACLE either cannot or will not provide it. The additional information sought and procedural arguments raised by ORACLE are not a rebuttal.<sup>3</sup> It is

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<sup>2</sup> ORACLE withheld evidence from OFCCP regarding its recruiting, hiring and compensation practices and other information during the compliance evaluation; therefore, additional violations could be uncovered in future enforcement proceedings.

<sup>3</sup> This Federal Contract Compliance Manual (hereafter referred to as the "FCCM" or the "Manual") does not establish substantive agency policy. OFCCP continues to use directives and other issuances to communicate substantive policy guidance, procedures, and agency enforcement priorities to staff and those we regulate. 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.

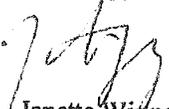
neither a relevant nor appropriate response to the statistical evidence of systemic discrimination uncovered in the compliance evaluation and disclosed in the Notice.

Accordingly, OFCCP's findings remain un rebutted and conciliation efforts have failed to resolve the violations. OFCCP is now issuing this Notice to Show Cause, within 30 calendar days of your receipt of this Notice, why enforcement proceedings should not be initiated pursuant to Executive Order 11246, as amended, as implemented by 41 C.F.R. 60-1.26.

A list of the violations at issue is enclosed. You are required to correct these violations as indicated within 30 calendar days of your receipt of this Notice or OFCCP shall recommend that the Department of Labor initiate enforcement proceedings against ORACLE.

Should you have any questions or wish to discuss a resolution to the issues raised herein, please contact Hea Jung Atkins at (415) 625-7829 to schedule a meeting or telephone conference.

Sincerely,

  
Janette Wipper  
Regional Director  
Pacific Region

cc: Shauna Holman-Harries (via email: [shauna.holman.harries@oracle.com](mailto:shauna.holman.harries@oracle.com))  
Director Diversity Compliance, Oracle America, Inc.

Juana Schurman (via email: [juana.schurman@oracle.com](mailto:juana.schurman@oracle.com))  
Vice President and Associate General Counsel, Oracle America, Inc.

Gary R. Siniscalco (via email: [grsiniscalco@orrick.com](mailto:grsiniscalco@orrick.com))

Erin M. Connell (via email: [econnell@orrick.com](mailto:econnell@orrick.com))

Lauri A. Damrell (via email: [ldamrell@orrick.com](mailto:ldamrell@orrick.com))

Orrick Herrington & Sutcliffe LLP

Enclosure