U.S. DEPARTMENT OF LABOR

News Release

U.S. DEPARTMENT OF LABOR REACHES CONCILIATION AGREEMENT FOR $7,000,000 TO RESOLVE DISCRIMINATION ALLEGATIONS

BOSTON, MA – Dell Technologies (Dell) has voluntarily entered into an early resolution conciliation agreement with the U.S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) to resolve indicators of race and gender-based wage discrimination.

Under the terms of the agreement, Dell Technologies will provide make-whole relief for the affected workers, totaling $7 million in lost wages, interest, and benefits, as well as assuring that all employees are afforded equal employment opportunities.

Dell Technologies merged with EMC Corp. in 2016 to form one of the world’s largest privately controlled technology companies. This settlement amount includes $1,504,192 in back pay and salary adjustments that EMC Corp. voluntarily paid in April 2012. This conciliation agreement resolves 20 of OFCCP’s pending compliance evaluations of Dell. Dell denies any liability.

In November 2018, OFCCP issued a directive establishing Early Resolution Procedures (ERP), launching an initiative to promote early and efficient resolution of supply and service compliance evaluations. These procedures allow OFCCP and contractors with multiple establishments to cooperatively implement corporate-wide compliance with OFCCP’s regulatory requirements and efficiently resolve identified issues. In turn, contractors are exempt from future OFCCP evaluations for five years. This conciliation agreement with Dell Technologies resulted from the ERP directive.

The company has contracts valued at more than $14 million with federal agencies, including the U.S. Departments of Energy and Housing and Urban Development, NASA and the IRS.

“Dell Technologies is working with us to ensure pay equity corporate-wide,” said Office of Federal Contract Compliance Programs Director Craig E. Leen. “Together, we will ensure that the company complies with equal employment opportunity laws in its employment practices, in
addition to remedying findings that OFCCP made.”

“This agreement is an outstanding example for the technology industry,” said Office of Federal Contract Compliance Programs Northeast Regional Director Diana Sen.

In addition to Executive Order 11246, OFCCP enforces Section 503 of the Rehabilitation Act of 1973 and the Vietnam Era Veterans’ Readjustment Assistance Act of 1974. These laws, as amended, make it illegal for contractors and subcontractors doing business with the federal government to discriminate in employment on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or status as a protected veteran. In addition, contractors and subcontractors are prohibited from discriminating against applicants or employees because they have inquired about, discussed, or disclosed their compensation or the compensation of others subject to certain limitations. For more information, please call OFCCP’s toll-free helpline at 800-397-6251 or visit https://www.dol.gov/ofccp/.

The mission of the Department of Labor is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

Agency: Office of Federal Contract Compliance Programs
Date: September 30, 2019
Release Number: 19-1699-BOS

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