

ILLINOIS DEPARTMENT OF HUMAN RIGHTS

FREEDOM TO WORK,)
)
Complainant,)
)
v.)
)
EXXON MOBIL CORPORATION,)
)
Respondent.)

EMPLOYMENT DISCRIMINATION CHARGE
AGAINST EXXON MOBIL CORPORATION

1. Freedom to Work, a national non-profit organization that is dedicated to banning and eliminating workplace discrimination against lesbians, gay men, bisexuals, and transgender (“LGBT”) Americans, respectfully submits the following charge alleging that Exxon Mobil Corporation (“Exxon”), one of the largest corporations in the world and a major employer in Illinois, engages in employment discrimination on the basis of sexual orientation.

INTRODUCTION

2. In December 2012, Freedom to Work conducted employment testing to determine whether Exxon discriminates on the basis of sexual orientation when it hires employees Illinois. The testing was conducted after Freedom to Work and other civil rights organizations urged Exxon to adopt a company-wide policy against sexual orientation and gender identity employment discrimination, and Exxon refused to adopt such a non-discrimination policy.

3. Freedom to Work’s employment testing revealed that Exxon engages in employment discrimination on the basis of sexual orientation in violation of the Illinois Human Rights Act, 775 ILCS 5. In particular, when a highly qualified LGBT candidate applied to work as an administrative assistant for Exxon in Illinois, Exxon refused to invite the applicant for an

interview and never contacted her about her interest in the position. In stark contrast, during the same time period a *less qualified* non-LGBT applicant applied for the same position and Exxon responded by contacting the less qualified non-LGBT applicant on three separate occasions to ask her to interview for the position. On the third occasion that Exxon contacted the non-LGBT applicant, Exxon's representative even suggested that the position would be held open for the non-LGBT applicant for four days until the applicant could contact Exxon. And even after the non-LGBT candidate failed to respond to Exxon's request for an interview, Exxon did not contact the better qualified LGBT candidate for an interview.

4. As described herein, Exxon's far worse treatment of the better qualified LGBT applicant compared to the less qualified non-LGBT applicant constitutes a civil rights violation and unlawful discrimination under the Illinois Human Rights Act, as Exxon discriminated in hiring on the basis of a LGBT applicant's sexual orientation. 775 ILCS 5, § 2-102(A).

5. In this action, Freedom to Work seeks to enjoin Exxon from discriminating on the basis of sexual orientation in Illinois, to require Exxon to amend its equal employment opportunity policy to expressly prohibit discrimination on the basis of sexual orientation and gender identity, and to require Exxon to educate its managers and workforce on how to ensure that its employees and applicants are not subject to discrimination on the basis of sexual orientation or gender identity. In addition, Freedom to Work seeks actual damages for the injury that it has suffered and continues to suffer from Exxon's unlawful discrimination and any other relief that may be appropriate.

6. The instant charge is timely, as all of the unlawful conduct that gave rise to the civil rights violation at issue in this charge occurred on or after December 4, 2012, within the 180 day period in which a charge may be filed with the Department. 775 ILCS 5, § 7A-102(A).

THE PARTIES

7. Freedom to Work is a national non-profit organization organized under Section 501(c)(3) of the Internal Revenue Code that is committed to banning and eliminating workplace harassment and career discrimination against lesbians, gay men, bisexuals, and transgender Americans through public education, policy analysis, and legal work. Freedom to Work engages in education and outreach, policy, and media relations throughout the United States. For example, Freedom to Work has advocated for the adoption of a federal executive order that would prohibit federal contractors from discriminating on the basis of sexual orientation and gender identity in employment.

8. Exxon Mobil Corporation is a publicly traded energy company that has operations throughout the world, the United States, and Illinois. In 2012, Exxon earned over \$482 billion in revenues and received nearly \$45 billion in profits. In January 2013, Exxon became the world's most valuable corporation in market capitalization. Exxon currently has nearly 77,000 employees worldwide, including many employees in Illinois. Exxon is registered with the Illinois Secretary of State to do business in Illinois. Its designated agent is located at 801 Adlai Stevenson Drive, Springfield, IL 62703. Exxon has a Patoka office, which is located at 8328 US Highway 51, Patoka, IL 62875. Exxon owns and manages a major pipeline that runs from Patoka, Illinois to Nederland, Texas.¹

JURISDICTION

9. The Illinois Human Rights Act governs Exxon's employment in Illinois, as Exxon "employ[ed] 15 or more employees within Illinois during 20 or more calendar weeks within the

¹ To the extent that Exxon was recruiting and/or hiring an individual for the administrative position in conjunction with one or more of its divisions or subsidiaries, this charge is also brought against any such division or subsidiary of Exxon as an employer or joint employer that is responsible under the Illinois Human Rights Act.

calendar year of or preceding the alleged violation.” 775 ILCS 5, § 2-101(B)(1)(a). The Illinois Department of Human Rights has jurisdiction to receive and investigate charges of employment discrimination on the basis of sexual orientation, including gender identity. 775 ILCS 5, § 7A-101(A)(1), § 2-102(A), § 1-103(Q).

FACTUAL ALLEGATIONS

A. Exxon Refuses to Prohibit Discrimination Based on Sexual Orientation

10. Despite the fact that Exxon employs thousands of workers in states like Illinois that prohibit discrimination based on sexual orientation and gender identity, to date Exxon has refused to adopt a company-wide policy against sexual orientation and gender identity employment discrimination.

11. This fact separates Exxon from the vast majority of major American corporations that have voluntarily agreed to expressly prohibit discrimination based on sexual orientation and gender identity. In fact, according to the Human Rights Campaign, 88% of Fortune 500 companies have adopted written non-discrimination policies that prohibit harassment and discrimination based on sexual orientation, as have 94% of Fortune 100 companies. Moreover, *all* of the Fortune 10 companies have adopted such a non-discrimination policy *except* Exxon.

12. In 2012, Freedom to Work and other civil rights organizations engaged in a campaign to encourage Exxon and other federal contractors to adopt company-wide policies against sexual orientation and gender identity employment discrimination. As part of this campaign, in May 2012 Freedom to Work issued a petition on Change.org to demand that Exxon adopt a company-wide policy banning sexual orientation and gender identity employment discrimination, and expressed concern in the media that Exxon would not follow other major federal contractors and

energy companies that had previously adopted such non-discrimination policies, including Chevron, British Petroleum, and Texaco.

13. In addition, in May 2012 the New York State Comptroller Thomas DiNapoli filed a shareholder resolution at Exxon's annual board meeting to have Exxon amend its written equal employment opportunity policy to explicitly prohibit discrimination based on sexual orientation and gender identity and to substantially implement the policy. Regrettably, Exxon's Board opposed the resolution, asserting that Exxon does not discriminate on the basis of sexual orientation and that it is unnecessary for Exxon to expressly adopt such a policy.² Following the advice of Exxon's Board, an overwhelming majority of shareholders rejected Comptroller DiNapoli's resolution. After the resolution was rejected, Comptroller DiNapoli explained that Exxon's "refusal to substantially implement a written equal employment opportunity policy . . . is in conflict with anti-discrimination . . . statutes in New York State," which prohibits employment discrimination based on sexual orientation.

14. Because of Exxon's refusal to adopt a company-wide policy against sexual orientation and gender identity employment discrimination and its refusal to provide a range of workplace rights and benefits to LGBT workers, the Human Rights Campaign, the nation's largest civil rights organization working to achieve equality for LGBT Americans, ranked Exxon the *worst* of all Fortune 500 companies in its 2013 Corporate Equality Index. In fact, Exxon earned a negative 25 score on a scale of 0 to 100.

² Prior to the vote on the resolution, Exxon asked the U.S. Securities and Exchange Commission (SEC) for permission to *stop* shareholders from voting on the resolution, based on Exxon's view that it had already complied with the proposal. However, the SEC rejected Exxon's request, explaining that "it appears that ExxonMobil's policies, practices, and procedures do not compare favorably with the guidelines of the proposal and that ExxonMobil has not, therefore, substantially implemented the proposal." March 20, 2012 Response of the Office of Chief Counsel, Division of Corporation Finance, U.S. Securities and Exchange Commission.

B. Freedom to Work Decides to Test Whether Exxon Discriminates

15. In 2012, as a result of Exxon's refusal to amend its written equal employment opportunity policy to explicitly prohibit discrimination based on sexual orientation and gender identity and to substantially implement the policy, as well as Exxon's public representation that it does not discriminate on the basis of sexual orientation, Freedom to Work decided that it would engage in employment testing to identify whether or not Exxon discriminates on the basis of sexual orientation when it hires employees.

16. To develop and conduct the test, Freedom to Work engaged another civil rights organization, the Equal Rights Center, that has longstanding experience in using testing to identify whether employers and housing providers violate federal and state civil rights laws. As a result, Freedom to Work collaborated with the Equal Rights Center to develop a test that would permit the organizations to determine whether Exxon would treat a non-LGBT applicant more favorably than a LGBT applicant who is equally qualified or better qualified than the non-LGBT applicant.

17. To support the development and conducting of the testing, Freedom to Work diverted thousands of dollars of its organizational budget from existing activities, including education, policy, and outreach, to pay the Equal Rights Center. In addition, Freedom to Work's staff spent numerous hours on this collaborative effort to identify whether Exxon discriminates on the basis of sexual orientation—time that would have been spent on other core organizational activities if Exxon had previously agreed to amend its written equal employment opportunity policy to explicitly prohibit discrimination based on sexual orientation and gender identity and to substantially implement the policy.

C. Two Resumes Are Developed to Apply to the Same Position at Exxon

18. In early December 2012, Exxon posted a job opening on its web site for an administrative assistant position in Patoka, Illinois. The job description stated that “key tasks may include”: (1) “Generate, track, and maintain projects and purchase orders for the work area in SAP”; (2) “Input Payroll for approximately 20 employees; track overtime and vacation in the SAP database”; (3) “Ensure invoices for the area are paid”; (4) “Serve as the local Records Management Coordinator with responsibilities for maintaining both electronic and hardcopy files”; (5) “Ensure area is compliant with administrative controls requirements by following various policies, training employees on controls requirements, and conducting self assessments”; (6) “Maintain multiple metrics reports including mileage, behavior based safety, and financial reports”; (7) “Answer phones including the air patrol phone”; (8) “Maintain the Patoka front gate acting as the first point of contact with visitors to the facility”; and (9) “Other general office duties including stocking supplies and ordering equipment.” Exhibit 1, attached hereto.

19. The job description also stated that “Job Skills/Background/Software Requirements” were being “Proficient in [Microsoft] Office including Excel and Word” and “At least 1 year of experience in running an office,” and that “Optional Skills” were “Experience with SAP” and “Payroll and accounts payable responsibilities.” *Id.*

20. In early December 2012, Freedom to Work and the Equal Rights Center developed two resumes that they later would submit to Exxon in response to Exxon’s job opening for the administrative assistant position in Patoka, Illinois. The resumes were developed so that the first applicant, Jennifer Priston, would identify as LGBT and be a stronger applicant than the second applicant, Michelle Caland, who would not identify as LGBT. Copies of the two

resumes are attached as Exhibits 2 and 3. *See* Ex. 2, Resume of Jennifer Priston, LGBT Applicant; Ex. 3, Resume of Michelle Caland, non-LGBT Applicant.

21. Both resumes were identical in many respects and had education, skills, and experience that met the requirements of the job description for the position. However, there were two significant differences between the resumes.

22. The first significant difference between the two resumes was that the resume of Jennifer Priston identified as LGBT, based on her significant involvement in a local chapter of the “Gay and Lesbian Victory Fund,” an organization that promotes the rights of LGBT individuals (“LGBT applicant” or “LGBT resume”). In contrast, the second resume would not provide any suggestion or indication that the applicant – Michelle Caland – identifies as a LGBT (“non-LGBT applicant” or “non-LGBT resume”). Nevertheless, the non-LGBT resume stated that the applicant had played a significant role in a local feminist activist organization, so that Exxon would ultimately be choosing between two applicants who volunteered in local activist organizations.

23. The second significant difference between the two resumes was that the LGBT resume was stronger and better qualified for the position than the non-LGBT resume in a number of ways, including the following:

A. While both applicants attended the same college, graduated at the same time, and had the same major of business administration, the LGBT applicant had a higher grade point average than the non-LGBT resume.

B. While both applicants attended the same high school and graduated at the same time, the LGBT applicant had a higher grade point average than the non-LGBT resume.

C. The LGBT applicant had *advanced* skills in Excel, Word, and SAP, while the non-LGBT applicant was only *proficient* in Word, Excel, and SAP.

D. While both applicants had been administrative assistants at their current employers since mid-2011, the LGBT applicant had inputted payroll for a larger number of employees than the non-LGBT applicant, and had a broader range of responsibilities that were relevant to the position at Exxon, including “coordinat[ing] office equipment servicing,” “ensur[ing] compliance with accounts payable processes for office supply and equipment purchases,” and “manag[ing] records related to purchases” and “training.”

E. The LGBT applicant had performed a prior job from 2009 to 2011 with a title of “Assistant Office Manager” that was superior to the job that the non-LGBT applicant performed from 2009 to 2011 with a title of “Office Assistant.”

F. The prior job performed by the LGBT applicant from 2009 to 2011 involved a greater level of responsibility and tasks that were more relevant to the duties of the administrative assistant position at Exxon than the responsibility and tasks that the non-LGBT applicant performed from 2009 to 2011 in her prior position.

G. The LGBT applicant had a slightly longer period of overall prior work experience than the non-LGBT applicant had.

D. The Test Reveals That Exxon Discriminates Based on Sexual Orientation

24. On December 4, 2012, Freedom to Work in collaboration with the Equal Rights Center submitted the stronger LGBT resume and the weaker non-LGBT resume to Exxon’s human resources department on behalf of the LGBT applicant and the non-LGBT applicant, respectively, to apply for the administrative assistant position in Patoka, Illinois.

25. On December 4, 2012 at 5:01 pm, the LGBT applicant received an automated confirmation e-mail from ExxonMobil Global Recruiting that confirmed that ExxonMobil had “received your candidate profile” and provided the LGBT applicant with a Candidate Reference Number that would “remain active for 1 year.” E-Mail From ExxonMobil Global Recruiting to Jennifer Prison (Dec. 4, 2012), attached as Exhibit 4. On December 4, 2012 at 5:42 pm, the non-LGBT applicant received the same type of automated confirmation e-mail from ExxonMobil Global Recruiting as the LGBT applicant had received. E-Mail From ExxonMobil Global Recruiting to Michelle Caland (Dec. 4, 2012), attached as Exhibit 5.

26. After submitting the stronger LGBT resume to Exxon on December 4, 2012, the LGBT applicant did not receive any communication or contact from Exxon about the position. Despite the high qualifications of the LGBT applicant, Exxon did not seek to interview the LGBT applicant or otherwise consider her for the administrative assistant position.

27. But Exxon's response to the weaker non-LGBT applicant was exceedingly more favorable than its response to the stronger LGBT applicant.

28. Ten days after receiving the non-LGBT resume, on December 14, 2012, a representative of Exxon's Human Resources Department, based in Exxon's business headquarters in Houston, Texas,³ contacted the non-LGBT applicant and left the following voicemail expressing interest in the non-LGBT's application:

Michelle, this is Dona Steadman from Exxon Mobil Pipeline, Human Resources, I was calling you regarding an application you submitted for a position that we have open at our Patoka Pipeline office. At your convenience, if you could please give me a call. My number is (713) 656-2556.

Transcription of December 14, 2012 Voicemail, attached as Exhibit 6.

29. On December 17, 2012, after not receiving a response from the non-LGBT applicant, the Exxon Human Resources Department again called the non-LGBT applicant and left a message indicating that Exxon wanted to interview the non-LGBT applicant. In the voicemail, she stated:

Michelle, this is Dona Steadman with Exxon Mobil Pipeline. You had put an application in at our website for a position, an administrative position at our Patoka location. I was trying to reach you to talk to you about an interview. My number is (713) 656-2556.

Transcription of December 17, 2012 Voicemail, attached as Exhibit 7.

³ The Exxon Human Resources Department representative's street address, 800 Bell Street, is the same address as the business headquarters of Exxon's Exploration and Producing Operations. See http://www.exxonmobil.com/Corporate/contactus_contact_businessheadquarters.aspx (stating that Exxon's "Business headquarters" for its "Exploration and Producing Operations" are located at "800 Bell Street, Houston, Texas 77002"). In addition, the representative's phone number included a three-digit area code, 713, that is associated with Houston, Texas.

30. Finally, after again receiving no response from the non-LGBT applicant, the Exxon Human Resources Department sent an e-mail to the non-LGBT applicant on December 17, 2012. The e-mail indicated that while the non-LGBT applicant had not responded to several messages that Exxon left on her voicemail, Exxon would hold the position open for the non-LGBT applicant for another four days, until December 21, 2012. The e-mail stated in full:

Michelle[,] Recently you entered your application in an Administrator position with ExxonMobil Pipeline in Patoka Illinois. I have left several messages at the phone number you listed on your application without any response. If you are still interested in the position please contact me at (713)656 2556. If I do not hear from you by December 21, we will have to consider that you are no longer interested in the position. Thanks.

December 17, 2012 E-Mail From Exxon Human Resources, attached as Exhibit 8.

31. After receiving this e-mail and the prior voicemails, the non-LGBT applicant did not contact Exxon's Human Resources Department about the administrative assistant position. Accordingly, the position remained open for Exxon to hire another applicant. Nevertheless, thereafter Exxon took no action to contact or hire the LGBT applicant who was a similar yet *stronger* applicant than the non-LGBT applicant who had received at least three invitations from Exxon to interview for the position and progress through Exxon's hiring process.

32. Based on Exxon's dramatically different responses to the two resumes and applicants, it is clear that Exxon treated the weaker non-LGBT applicant far more favorably than the stronger LGBT applicant. Given the similarities and relative strengths of the two applicants, there is no explanation as to why Exxon treated the weaker non-LGBT applicant far more favorably than the stronger LGBT applicant other than discrimination on the basis of the LGBT applicant's sexual orientation or gender identity.

EXXON HAS VIOLATED THE ILLINOIS HUMAN RIGHTS ACT

33. The employment testing conducted by Freedom to Work confirms that Exxon engages in unlawful employment discrimination based on sexual orientation in violation of the Illinois Human Rights Act.

34. The Illinois Human Rights Act prohibits employers from discriminating on the basis of sexual orientation when hiring employees. The Act specifically provides that “It is a civil rights violation . . . For any employer to refuse to hire, to segregate, or to act with respect to recruitment [or] hiring . . . on the basis of unlawful discrimination,” and defines unlawful discrimination as “discrimination against a person because of his or her . . . sexual orientation[.]” 775 ILCS 5, §2-102(A), § 1-103(Q). The Act defines sexual orientation as “actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person’s designated sex at birth.” *Id.* § 1-103(O-1).

35. The employment testing described above demonstrates that Exxon refuses to hire on the basis of unlawful sexual orientation discrimination and/or acts with respect to recruitment or hiring on the basis of unlawful sexual orientation discrimination.

36. In response to the employment test conducted in December 2012, Exxon treated a stronger and well-qualified applicant who was LGBT and/or was perceived by Exxon to be LGBT in a far worse manner than Exxon treated a weaker applicant who was not LGBT and/or was not perceived by Exxon to be LGBT.

37. Both the LGBT applicant and the non-LGBT applicant were similarly situated in all respects, except that the LGBT applicant had stronger qualifications for the administrative assistant position at Exxon than the non-LGBT applicant, and that the LGBT applicant was (or was perceived as) LGBT. While Exxon took no action whatsoever to recruit or hire the stronger

LGBT applicant, Exxon attempted on at least three occasions to interview and hire the weaker non-LGBT candidate. The only explanation for this stark and differential treatment of these two applicants is unlawful discrimination based on the sexual orientation of the applicants.

38. By discriminating on the basis of sexual orientation in its hiring practices, Exxon has committed a civil rights violation under the Illinois Human Rights Act.

RELIEF SOUGHT BY FREEDOM TO WORK

39. In this action, Freedom to Work seeks a range of relief that is necessary to stop Exxon from continuing to discriminate against LGBT employees and applicants in the State of Illinois in the future. First, Exxon should be enjoined from discriminating on the basis of sexual orientation in Illinois. Second, Exxon should be required to amend its equal employment opportunity policy contained in Exxon's Standards of Conduct to expressly prohibit discrimination on the basis of sexual orientation and gender identity, so that it is consistent with the Illinois Human Rights Act. Third, Exxon should be required to adequately educate its managers and workforce on how to ensure that its employees and applicants are not subject to discrimination on the basis of sexual orientation or gender identity.

40. In addition, Freedom to Work, as an aggrieved party under the Illinois Human Rights Act, seeks actual damages for the injury that it has suffered and continues to suffer because of Exxon's civil rights violations and Exxon's refusal to bring its corporate policies and conduct into compliance with the Illinois Human Rights Act. *See* 775 ILCS 5, § 10-102(C) (identifying the types of relief that may be granted to an aggrieved party); *id.* § 8A-104 (same); *see also* 775 ILCS 5, § 1-103(B) (stating an "aggrieved party" is "a person who is alleged or proved to have been injured by a civil rights violation"); *id.* § 1-103(L) (stating that a "Person" "includes one or more . . . associations or organizations").

41. Freedom to Work has diverted a substantial amount of its organizational resources, including thousands of dollars of its annual budget and numerous hours of staff time, from its core and traditional organizational activities of public education and policy work towards identifying and combating Exxon's discrimination against LGBT workers. Exxon's continued civil rights violations against LGBT workers have frustrated Freedom to Work's core mission and organizational activities of banning and elimination employment discrimination against LGBT workers through public education and policy work. If Exxon had adopted the resolution sponsored by New York State Comptroller in May 2012 and actually implemented the resolution, Freedom to Work would not have engaged in employment testing of Exxon. Moreover, because of Exxon's refusal to comply with the Illinois Human Rights Act with respect to its treatment of LGBT workers, Freedom to Work has been compelled to undertake the employment testing described above and will be compelled to continue to identify and combat Exxon's civil rights violations until the Department, the Illinois Human Rights Commission, or a court of law stops Exxon from continuing to violate the Illinois Human Rights Act.

42. Finally, in this action Freedom to Work seeks attorneys' fees and costs and any other relief that may be appropriate, such as punitive damages. *See* 775 ILCS 5, § 10-102(C); *id.* § 8A-104.

Respectfully submitted,

May 22, 2013

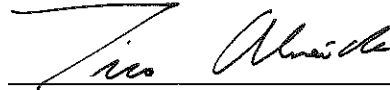
By /s/ Christine E. Webber

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DECLARATION OF COMPLAINANT

In accordance with 775 ILCS 5, § 7A-102(A)(1), I declare and affirm under the penalty of perjury that the foregoing is true and correct.



Tico Almeida
President
Freedom to Work
1016 16th Street NW
Suite 100
Washington, DC 20036
(202) 293-2828

EXHIBIT 1

Job details

Job 1 of 1

AutoReqld 16181BR

Job or Campus Folder Administrative Assistant

Job Description Key Tasks May Include:

- Generate, track, and maintain projects and purchase orders for the work area in SAP.
- Input Payroll for approximately 20 employees; track overtime and vacation in the SAP database.
- Ensure invoices for the area are paid.
- Serve as the local Records Management Coordinator with responsibilities for maintaining both electronic and hardcopy files.
- Ensure area is compliant with administrative controls requirements by following various policies, training employees on controls requirements, and conducting self assessments.
- Maintain multiple metrics reports including mileage, behavior based safety, and financial reports.
- Answer phones including the air patrol phone. Maintain the Patoka front gate acting as the first point of contact with visitors to the facility.
- Other general office duties including stocking supplies and ordering equipment.
- Other duties as assigned.

JOB SKILLS/BACKGROUND/SOFTWARE REQUIREMENTS:

- Proficient in MS Office including Excel and Word
- At least 1 year experience in running an office.

OPTIONAL SKILLS

- Experience with SAP.
- Payroll and accounts payable responsibilities.

ExxonMobil is an Equal Opportunity Employer

Job Location Patoka, IL

EXHIBIT 2

JENNIFER PRISTON

9 Candlelight Drive, Springfield IL 62704
Jpri800@gmail.com (312) 869-2863

EDUCATION

Lincoln Land Community College

Associate in Science, Business Administration
3.98 GPA

May 2011

Springfield High School, Springfield IL

3.87 GPA

June 2009

SKILLS

Advanced Excel, Word, and SAP

EXPERIENCE

Nudo Products, Springfield IL

Administrative Assistant

May 2011 - Present

- Use SAP to generate, track, and maintain purchase orders and projects
- Input payroll for 22 employees, using SAP to track overtime and vacation leave
- Manage records related to purchases, training, payroll, and accounts payable by maintaining electronic and hardcopy files
- Ensure that work complies with administrative policies and requirements by training employees and conducting self-assessments
- Maintain reports and metrics related to finances, behavior-based safety, mileage, expense reimbursement
- Answer phones and route calls courteously and professionally
- Greet visitors and implement company protocol when admitting guests to premises
- Ensure compliance with accounts payable processes for office supply and equipment purchases
- Stock supplies and equipment for office
- Coordinate office equipment servicing
- Ensure that all invoices are paid on time

Lemay & Company, CPA firm, Springfield IL

Assistant Office Manager

January 2009 - May 2011

- Maintained records regarding invoices, accounts payable, and accounts receivable
- Fielded phone inquiries from accounting clients

VOLUNTEER WORK

Gay and Lesbian Victory Fund

Local Chapter Treasurer

September 2010 - May 2011

- Maintained financial records of fundraising events
- Assisted in organizing programs that promote the rights of lesbian, gay, bisexual, and transgender individuals by tracking event attendance, ordering refreshments, and training volunteers

EXHIBIT 3

MICHELLE CALAND

1516 Seven Pines Road, Springfield IL 62704
Mcaland4444@gmail.com (312) 869-4875

EDUCATION

Lincoln Land Community College, Springfield IL, 3.9 GPA **May 2011**
Associate in Science, Business Administration

Springfield High School, Springfield IL, 3.85 GPA **June 2009**

EXPERIENCE

Illinois & Midland Railroads, Springfield IL **June 2011 - Present**
Administrative Assistant

- Utilize SAP to manage purchase orders, projects, and payroll-related data such as overtime and vacation
- Input payroll for 19 employees
- Employ electronic and hardcopy files to manage and maintain records on payroll, invoices, and accounts
- Purchase office supplies and equipment for colleagues
- Ensure that invoices for equipment and office supplies are paid in accordance with deadlines
- Follow company policies and train others to work in compliance with company policies
- Conduct self-assessments to ensure compliance with company policies
- Prepare multiple metrics reports that include analysis of mileage, behavior-based safety, and financial data
- Answer the phone for the company and route calls to appropriate colleagues
- Manage the front desk by acting as the first point of contact with visitors

21st Century Dental, Springfield IL **February 2009 - April 2011**
Office Assistant

- Managed the office's phone line by answering and returning patient calls
- Maintained records by ensuring that proper paperwork procedures were followed by patients

ACTIVITIES

Feminist Activist Coalition of Lincoln Land Community College **October 2010 - May 2011**
Secretary

- Organized events to promote equality for women
- Kept electronic and hardcopy records regarding finances and meetings

SKILLS

- Proficient in Word, Excel, and SAP

EXHIBIT 4

----- Forwarded message -----

From: **ExxonMobil** <donotreply@trm.brassring.com>

Date: Tue, Dec 4, 2012 at 5:01 PM

Subject: Your candidate reference number - ExxonMobil.

To: Jpri800@gmail.com

Thank you, Jennifer Priston, for your interest in ExxonMobil. We have received your candidate profile and are providing you with the following system-generated Candidate Reference Number along with a copy of your responses to the application questions. Please retain your candidate reference number as you may be asked to provide it at any point during the screening process.

Your Candidate Reference Number is: 16056644

Your Candidate Profile will remain active for 1 year. Should an opportunity that matches your education and background become available, we will contact you for an interview.

Sincerely,

ExxonMobil Global Recruiting

ExxonMobil - Taking on the world's toughest energy challenges.

Questions

Profile

Today's date: 04 Dec 2012

Education

Did you graduate from secondary school (high school)? Yes

Indicate the date you graduated from secondary school (high school): 01 Jun 2009

Have you ever attended any institution of higher learning? (including vocational or community college) Yes

Select your current or most recent university/school LINCOLNLAND
COMMUNITY COLLEGE

attended:

Select your degree in progress or your most recent degree received: Other Degree

Select your current or most recent major/area of study: Business - Administration

Please select the discipline group that most closely describes your major or area of study. Business

Provide your grade or average mark for your degree in progress or your most recent degree received (use N/A if appropriate): 3.98

Select the nearest letter grade consistent with your grade or average mark: A+

Indicate the date you began your current or most recent degree: 01 Sep 2009

Indicate the date you will complete or completed your most recent degree: 15 May 2011

Have you attended additional schools? No

Additional Work Experience

Have you previously been employed by ExxonMobil? No

Other job-related courses, seminars, or specialized training (including computer training and experience): Advanced skills in Excel, Word, and SAP

Work Authorization

Are you legally authorized to work in the United States? Yes

If so, do you have the permanent right to work in the United States? (i.e. Are you a U.S. Citizen, U.S. national, permanent resident, temporary resident, asylee, or refugee status). Yes

Do you now or will you in the future require company sponsorship for a visa or employment authorization? No

Disclosures

Excluding any juvenile offenses, have you ever been convicted of or pled no contest to a felony offense? No

Excluding any juvenile offenses, in the past five years, have you been convicted of or pled no contest to any alcohol or drug related offense, including, but not limited to DUI or DWI? No

Are you currently a member of the Board of Directors of any non-profit organization? No

Are you currently a member of the Board of Directors of any for-profit organization? No

Have you ever been employed (including internships) by PriceWaterhouseCoopers (ExxonMobil's independent auditor) or any PwC affiliated company? No

Source of Applicant

How did you hear about opportunities at ExxonMobil? Company website

Candidate Preferences

Type of employment desired: Regular

Work preferred (1st choice): Administrative Assistant

Work preferred (2nd choice): flexible

Indicate the date you are available for employment: 05 Dec 2012

Indicate your desired monthly salary: flexible

EXHIBIT 5

----- Forwarded message -----

From: **ExxonMobil** <donotreply@trm.brassring.com>

Date: Tue, Dec 4, 2012 at 5:42 PM

Subject: Your candidate reference number - ExxonMobil.

To: Mcaland4444@gmail.com

Thank you, Michelle Caland, for your interest in ExxonMobil. We have received your candidate profile and are providing you with the following system-generated Candidate Reference Number along with a copy of your responses to the application questions. Please retain your candidate reference number as you may be asked to provide it at any point during the screening process.

Your Candidate Reference Number is: 16056819

Your Candidate Profile will remain active for 1 year. Should an opportunity that matches your education and background become available, we will contact you for an interview.

Sincerely,

ExxonMobil Global Recruiting

ExxonMobil - Taking on the world's toughest energy challenges.

Questions

Profile

Today's date: 04 Dec 2012

Education

Did you graduate from secondary school (high school)? Yes

Indicate the date you graduated from secondary school (high school): 01 Jun 2009

Have you ever attended any institution of higher learning? (including vocational or community college) Yes

Select your current or most recent university/school attended: LINCOLNLAND
COMMUNITY COLLEGE

Select your degree in progress or your most recent degree received:	Other Degree
Select your current or most recent major/area of study:	Business - Administration
Please select the discipline group that most closely describes your major or area of study.	Business
Provide your grade or average mark for your degree in progress or your most recent degree received (use N/A if appropriate):	3.9
Select the nearest letter grade consistent with your grade or average mark:	A+
Indicate the date you began your current or most recent degree:	01 Sep 2009
Indicate the date you will complete or completed your most recent degree:	15 May 2011
Have you attended additional schools?	No
Additional Work Experience	
Have you previously been employed by ExxonMobil?	No
Other job-related courses, seminars, or specialized training (including computer training and experience):	SAP, Excel, Word proficiency
Work Authorization	
Are you legally authorized to work in the United States?	Yes
If so, do you have the permanent right to work in the United States? (i.e. Are you a U.S. Citizen, U.S. national, permanent resident, temporary resident, asylee, or refugee status).	Yes

Do you now or will you in the future require company sponsorship for a visa or employment authorization? No

Disclosures

Excluding any juvenile offenses, have you ever been convicted of or pled no contest to a felony offense? No

Excluding any juvenile offenses, in the past five years, have you been convicted of or pled no contest to any alcohol or drug related offense, including, but not limited to DUI or DWI? No

Are you currently a member of the Board of Directors of any non-profit organization? No

Are you currently a member of the Board of Directors of any for-profit organization? No

Have you ever been employed (including internships) by PriceWaterhouseCoopers (ExxonMobil's independent auditor) or any PwC affiliated company? No

Source of Applicant

How did you hear about opportunities at ExxonMobil? Company website

Candidate Preferences

Type of employment desired: Regular

Work preferred (1st choice): Administrative Assistant

Work preferred (2nd choice): Open to many other possibilities

Indicate the date you are available for employment: 05 Dec 2012

Indicate your desired monthly salary: open to negotiation

EXHIBIT 6

Transcription of December 14, 2012 Voicemail

Michelle, this is Dona Steadman from Exxon Mobil Pipeline, Human Resources, I was calling you regarding an application you submitted for a position that we have open at our Patoka Pipeline office.

At your convenience, if you could please give me a call. My number is (713) 656-2556.

EXHIBIT 7

Transcription of December 17, 2012 Voicemail

Michelle, this is Dona Steadman with Exxon Mobil Pipeline.

You had put an application in at our website for a position, an administrative position at our Patoka location.

I was trying to reach you to talk to you about an interview. My number is (713) 656-2556.

EXHIBIT 8



Michelle Caland <mcaland4444@gmail.com>

ExxonMobil Pipeline Administrator position

1 message

Steadman, Dona M <dona.m.steadman@exxonmobil.com>
To: "Mcaland4444@gmail.com" <Mcaland4444@gmail.com>

Mon, Dec 17, 2012 at 3:02 PM

Michelle

Recently you entered your application in an Administrator position with ExxonMobil Pipeline in Patoka Illinois. I have left several messages at the phone number you listed on your application without any response. If you are still interested in the position please contact me at [\(713\)656 2556](tel:7136562556). If I do not hear from you by December 21, we will have to consider that you are no longer interested in the position.

Thanks

Dona Steadman
SeaRiver Maritime, Inc.
Human Resources
800 Bell Street
Room 4.063
Office: [\(713\) 656-2556](tel:7136562556)
Fax: [\(262\)953-9274](tel:2629539274)