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Culture at Google

And remember... don't be evil, and if you see something that you think isn't right – speak up!

–Google Code of Conduct, April 2018¹

In November 2019, technology (tech) company Google fired four employees involved in internal activism. In the months leading up to the terminations, these employees had led internal action opposing Google's decision to accept security-related contracts with the U.S. government, and had monitored colleagues' calendars to determine whether they were having conversations with anti-union consultants.² Google claimed that these employees' actions breached its data security policies and code of conduct, while the employees in question believed that Google had illegally retaliated against their efforts to organize.³ They linked their activism to Google's corporate values, stating, "Google explicitly encourages us to pursue exactly these goals. The company's code of conduct states unequivocally: 'don't be evil, and if you see something that you think isn't right – speak up!' And we did."⁴

This incident marked the latest in a string of employee-relations challenges for Google. The company had long prided itself on fostering open communication, collaboration, and creative thinking among employees; however, since around 2017, Google had been grappling with a number of issues that threatened to upend its culture. Issues ranged from accusations of sexual harassment and restrictions on employee speech to discriminatory hiring practices and retaliation against protests.

Google was by no means the only tech company facing allegations of employee mistreatment (see **Exhibit 1**). In a 2017 viral blog post, Susan Fowler, a former software engineer at ride-share company Uber, cited multiple incidents of gender discrimination at the company, and claimed that HR ignored reports of sexual harassment.⁵ One year later, Netflix faced scrutiny after current and former employees gave accounts of a cut-throat, Darwinian company that often fired workers with little warning.⁶ Meanwhile, in 2019, more than a dozen former Facebook employees criticized their employer for fostering a "cult-like" environment in which leadership suppressed dissent.⁷

Like its peer companies, Google had struggled to contain the fallout associated with these employee-relations issues. Sundar Pichai, who became CEO of Google's parent company Alphabet Inc. in December 2019, would need to decide how to win back employee trust without jeopardizing Google's unique culture and spirit of innovation.

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Google: America's Happiest Workplace?

Google was founded in 1998 by Larry Page and Sergey Brin, Ph.D. students at Stanford University. From the company's earliest days as a garage-based start-up to enable web search, Page and Brin had worked to build an organizational culture that reflected their own values, including minimal management, an emphasis on creativity and individuality, empowering employees to pursue their own projects at work, and creating products that benefitted the greater good.⁸

Workplace Culture

One source defined workplace culture as "the shared values, belief systems, attitudes and the set of assumptions that people in a workplace share."⁹ In practice, a company's culture comprised everything from the employer-employee relationship to workplace norms and operating procedures.¹⁰ Different models of corporate culture included: competitive, goals-driven environments; strictly controlled hierarchies; team-oriented workplaces; and organizations that encouraged creativity and entrepreneurial behavior.¹¹

While there was no one-size-fits-all model for a successful corporate culture, companies that built a positive culture appeared to reap benefits. According to a 2012 study of U.S. workers, employees satisfied with their companies' work culture were almost 35% less likely to search for new opportunities than their dissatisfied peers.¹² Similarly, in a 2017 survey, almost 50% of individuals seeking to leave their current company stated that a poor workplace culture was their primary motivation.¹³ And a 2017 analysis of reviews posted to the job board site Glassdoor revealed that high employee satisfaction with an organization's work culture strongly correlated with both the likelihood that employees would remain at the company and the company's ability to attract new talent.¹⁴

Workplace culture could also affect a company's financial performance. A 2015 study looking at 1,260 CEOs and HR directors found that organizations whose leadership championed the company's values, focused on employee engagement, and invested in talent development experienced revenue growth 2.6 times than that of companies with a weaker corporate culture.¹⁵ Other research found a positive relationship between worker satisfaction and a company's stock market performance.¹⁶

Google's Culture

In the early years of the company, Page and Brin identified a number of principles that were central to Google's founding philosophy, which they called "Ten things we know to be true." The 10 things included points such as "Democracy on the web works," and "You can make money without doing evil" (see **Exhibit 2** for the full list).¹⁷ These tenets underpinned much of Google's early culture.

According to a *New York Times* profile, Google's early office looked "as if nerds had taken over a college dorm," with engineers who rode scooters in the office and were openly rebellious toward managers.¹⁸ Google provided employees free, colorful bikes to ride around the Googleplex, the company's campus in Mountain View, California, and designed the cafeteria to give employees the opportunity to chat with their co-workers while waiting in line for lunch.¹⁹

Such features earned Google a reputation as one of the premier workplaces in the U.S. From 2012 to 2017, *Fortune* awarded Google the top ranking in its "100 Best Companies to Work For" list, citing employee perks such as free, gourmet food, generous parental leave, and the company's positive and inclusive work culture.²⁰ The *Fortune* rankings were awarded based on employee surveys, companies' benefits, and additional metrics such as leadership, corporate values, and employee trust.²¹

Enshrined in Google's original code of conduct, the phrase "Don't Be Evil" became a central feature of the company, with many employees reporting that they felt a genuine sense of moral responsibility in the workplace.²² As former CEO Eric Schmidt wrote in 2014, the company aimed to imbue its employees with a "cultural obligation to dissent."²³ Google also encouraged lively debate, open conversation, and a free-flowing exchange of ideas among its employees. The company hosted roughly 90,000 email lists and 8,000 discussion boards on subjects ranging from personal interests to work-related topics to political and social issues.²⁴

Google aimed to hire employees who were aligned with its mission and values, recognizing their importance in maintaining the company's desired culture.²⁵ Google sought out candidates who embodied the company's values through a set of intangible traits, called "Googleness," which former Head of People Operations Laszlo Bock defined as:

Attributes like enjoying fun (who doesn't), a certain dose of intellectual humility (it's hard to learn if you can't admit that you might be wrong), a strong measure of conscientiousness (we want owners, not employees), comfort with ambiguity (we don't know how our business will evolve, and navigating Google internally requires dealing with a lot of ambiguity), and evidence that you've taken some courageous or interesting paths in your life.²⁶

Reflecting the company's desire to promote transparency, Google's senior leadership held weekly, all-staff "Thank God It's Friday" (TGIF) meetings to keep employees apprised of new developments at Google. These meetings gave employees the opportunity to question—and challenge—company leadership.²⁷ Wrote Bock, "Everything is up for question and debate, from the trivial [. . .] to the ethical."²⁸

Alongside employee satisfaction came financial success. By 2019, Google had become a tech giant, operating as a search engine, advertising service, and email platform. The company provided a range of web-based offerings, including music sharing site YouTube, digital entertainment provider Google Play, and cloud-based storage platform Google Drive, in addition to a number of physical products, such as Android mobile devices, Chromebook and Pixelbook laptop computers, and Wear OS watches. Google's parent company, Alphabet Inc.,^a reported FY18 revenues of \$136.8 billion (of which Google accounted for \$136.2 billion) and net income of \$30.7 billion (see **Exhibit 3**).²⁹

By 2019, Alphabet employed 114,000 full-time employees globally and an additional 121,000 workers on a contract or temporary basis.³⁰ Most (102,000) of Alphabet's full-time staff were Google employees.³¹ Google was a sought-after employer, receiving more than 2 million applications per year.³² The 2018 median salary for Google employees was \$246,804, or almost four times the median household income in the United States.³³ High pay, competitive benefits, and an employee-friendly workplace culture led one industry observer to deem Google the "happiest company in America" in 2019.³⁴

Diversity, Equity, and Inclusion among Employees

Like many of its peers, Google struggled to recruit and retain a diverse workforce (see **Exhibits 4** and **5**). Some observers argued that limited diversity in tech was the result of a "**pipeline problem**," that is, women and underrepresented minorities were less likely to major in computer science and other STEM fields, and therefore comprised a relatively low proportion of qualified candidates for tech

^a In 2015, Google reorganized itself as Alphabet, Inc., with Google an operating subsidiary alongside other subsidiaries.

jobs (see **Exhibits 6, 7, and 8**).³⁵ Women were also more likely than men to leave the industry, which further narrowed the pool of women eligible for promotions or leadership positions (see **Exhibit 9**).³⁶

Research suggested, however, that the low number of women and underrepresented minorities who studied and pursued computer science was likely driven as much by **unconscious bias** as it was by conscious choice. Research showed how stereotypes associating men with math and science may have prevented young women from pursuing STEM degrees.³⁷ Similarly, teachers tended to be less likely to encourage female, Black, and Latino students from pursuing STEM subjects due to internalized stereotypes that white male students were better suited for STEM.³⁸ Notably, computing had not always been male-centric; most of the first software programmers in the 1950s and 1960s were women.³⁹ Only as programming grew increasingly profitable did men become overrepresented.⁴⁰

A third school of thought held that cultural issues in tech had created a **hostile workplace environment** for women and underrepresented minorities, which made them more likely to leave the industry.⁴¹ Underrepresented minorities in tech were more likely to report “unfairness” as the motivating factor for leaving a job compared to their white or Asian peers, and almost 90% of female tech workers reported experiencing some form of gender-based discrimination in the workplace.⁴²

Still others attributed the lack of diversity in the industry to the belief that success in tech depended not on collaboration and teamwork, but rather “almost entirely on innate genius.”⁴³ Schmidt called brilliant employees who exhibited a contrarian streak “aberrant geniuses,” explaining to *Wired*: “You need these aberrant geniuses because they’re the ones that drive, in most cases, the product excellence.”⁴⁴ Research had shown that due to stereotypes, people tended to associate the term “genius” more frequently with men, making it harder for women to gain respect in the tech field.⁴⁵ This belief in the **lone tech genius** sometimes made it easier for companies to justify tolerating bad behavior by so-called geniuses because they were viewed as innately gifted and thus irreplaceable.⁴⁶

To increase diversity, Google had formed special recruiting teams and partnered with external organizations such as Black Girls Code, Lesbians Who Tech, and the National Center for Women in Technology.⁴⁷ The company had also partnered with Howard University, a renowned historically Black university, to recruit computer science graduates, and implemented programs like BOLD, an internship for underrepresented minorities.⁴⁸ Google’s desire to diversify went beyond ethical concerns about fairness. An unrepresentative tech workforce was less likely to develop products that resonated with the broadest swathe of the population.⁴⁹ And at least one study found that diverse companies were more financially successful than their less-diverse peers.⁵⁰

Google’s lack of diversity also had legal repercussions. A years-long Department of Labor (DoL) investigation into the company ultimately reported “systemic compensation disparities against women pretty much across the entire workforce.”⁵¹ DoL representatives further claimed that “discrimination against women in Google is quite extreme, even in [tech].”⁵² In January 2017, the DoL sued Google after the company refused to release its historic compensation data.⁵³ Several months later, three female former employees also sued Google for gender discrimination, claiming that they were hired at lower compensation levels than their male colleagues with similar qualifications.⁵⁴

Google denied the allegations of gender pay discrimination, arguing that the company used an objective evaluation system for determining employee compensation.⁵⁵ Google subsequently conducted an internal investigation on gender pay equity, and claimed that the company was actually underpaying many men, not women; Google raised the salaries of thousands of male employees as a result.⁵⁶ Critics, however, pointed out that Google’s findings did not evaluate whether the company hired women at lower salary bands than their male peers.⁵⁷

Meanwhile, Google had made slow progress increasing gender representation in its tech workforce; from 2014 to 2019, the proportion of its U.S.-based women tech workers increased from 17.4% to 23.8%.⁵⁸ Racial diversity continued to lag, however, with the proportion of Black and Latino tech workers at Google moving from 5.1% to 6.6% over the same period (refer back to **Exhibit 5**).⁵⁹ After years of marginal increases in diversity, the company recognized the need to do more. “Google’s mission is to organize the world’s information and make it universally accessible and useful,” professed Google’s 2019 diversity report. “To do that well, we need a workforce that’s more representative of the users we serve.”⁶⁰

But not all Google employees agreed with this viewpoint. Some employees who had voiced pro-diversity views claimed to have been the target of harassment—including death threats—after a fellow Googler leaked their personal information to external websites and forums in fall 2017.⁶¹ Included among the leaks were screenshots from the company’s internal message boards.⁶² Other Googlers involved in diversity-related activism stated that colleagues deliberately baited them into making controversial statements, only to later report them to human resources or leak their comments online.⁶³

More broadly, some external observers believed that Google’s focus on Googleness had detracted from its diversity and inclusion efforts. While Googleness referred primarily to personality and work ethic, many employees believed the phrase was synonymous with culture fit.⁶⁴ Hiring based on culture fit could be problematic for diversity efforts, as it could make interviewers more inclined to select candidates who were similar to the majority of other employees.⁶⁵ In the case of Google, using a culture fit criteria could bias hiring managers in favor of white or Asian males.

The company also faced accusations that Googleness enabled age discrimination. In 2019, Google paid \$11 million to settle a class action lawsuit in which 227 plaintiffs—all of whom were older than 40—claimed that they were denied a job due to ageism.⁶⁶ The lawsuit held that “Googleness” was interchangeable with “young,” and that the broad definition of the word gave hiring managers a reason to reject older candidates based on their age.⁶⁷ In response, Google changed its hiring guide in 2017 to clarify that interviewers should not confuse Googleness with culture fit.⁶⁸ However, these changes did little to clarify this distinction, and many employees remained unaware of the changes.⁶⁹

Employee Speech

Google was also facing challenges related to employee speech. The company’s culture of open communication and transparency had long encouraged employees to freely express their views and deliberate ideas, but the ability to engage in measured debate had become increasingly difficult over time. This issue pervaded both Google’s internal and external forums. Said Andrew McLaughlin, Google’s former director of public policy: “[W]e built this incredible common space, platforms like Facebook and Twitter were created, blogging platforms where anybody could show up and speak.”⁷⁰ Hopes were high that this “virtual town square” would elevate discussions, but online discussions often devolved into personal insults and threats. As one observer surmised, Google needed to confront “the fact that [its] core product, which was designed to be based on ‘the collective intelligence of the web,’ has dredged up the web’s collective bigotry instead.”⁷¹

Similar issues had surfaced within the company (e.g., threats that followed leaks about Googlers who espoused pro-diversity views on internal company forums), which appeared to have led Google’s leadership to consider placing limits on employees’ speech within the workplace. Over time, scholars had put forth several arguments for curtailing free speech. British philosopher John Stuart Mill argued that people should have the liberty to express themselves however they deemed appropriate, provided they caused no “harm to others.” It was not always clear, however, what explicitly qualified as harm.

Some adopted a literal definition, believing that harm was limited to physical harm. Others took a broader view, understanding harm as an attack on the dignity of others (e.g., hate speech).⁷²

Google employees had also publicly expressed their opinions on political issues. For example, after the January 2017 announcement of a U.S. travel ban on citizens from seven Muslim-majority countries, which included a short-term suspension of refugee admissions, Google matched \$2 million in employee donations to immigrant assistance services.⁷³ Googlers also staged a walkout at corporate headquarters to protest the travel ban and show solidarity for colleagues impacted by the ban.⁷⁴ At the rally, Brin urged his employees to empathize with colleagues across the political spectrum, stating, “[It]’s important to frame this debate as not being liberal versus Republican [. . .] Sometimes it might be really difficult, because we have many, many values here that are not necessarily universally shared. But, I think these are really special times and it’s important to form friendships with many different people.”⁷⁵ In spite of Brin’s encouragement to cooperate across political and ideological lines, some conservative employees at Google felt marginalized within the company.

One such employee was James Damore, a 28 year-old software engineer who had worked at Google since 2013.⁷⁶ In July 2017, Damore posted a manifesto entitled “Google’s Ideological Echo Chamber,” which was critical of Google’s diversity efforts to several of the company’s internal discussion boards.⁷⁷ Damore argued that the underrepresentation of women in technical roles was partially the result of inherent biological differences rather than learned behavior, discrimination, or a toxic workplace culture.⁷⁸ Damore also wrote that Google discriminated against employees who were politically or ideologically conservative and accused the company of “shaming dissenters into silence.”⁷⁹ Google fired Damore two days after his manifesto was leaked to the public.⁸⁰

While some praised Google’s decision to fire Damore, critics on both sides of the political spectrum argued that the company had indeed—as Damore initially argued—discriminated against him for expressing conservative beliefs.⁸¹ Still other critics expressed concern about what Damore’s firing implied for free speech in the workplace more broadly.⁸²

Tensions between Google’s politically conservative and liberal employees showed no signs of abating. In November 2017, Google fired a transgender engineer named Tim Chevalier for violating the company’s code of conduct.⁸³ Chevalier, who also identified as disabled, argued that Google fired him for making comments “in opposition to the discrimination, harassment, and white supremacy” that he witnessed on Google’s discussion boards.⁸⁴ Google responded that Chevalier had crossed the line of appropriate communication, citing posts in which he criticized “white boys” and condemned Republicans for associating with white supremacists.⁸⁵

Meanwhile, in June 2018, Google fired Kevin Cernekee, an engineer who was active on the company’s conservative internal message boards.⁸⁶ Google claimed to have terminated Cernekee for reasons wholly unrelated to his political leanings, writing that he had been terminated “for multiple violations of company policies, including improperly downloading company information and misuse of the remote-access software system.”⁸⁷

Cernekee, Damore, and Chevalier were unconvinced by Google’s purported justification for their firings, and sought legal action. Damore and Cernekee submitted complaints with the National Labor Relations Board (NLRB). Cernekee claimed that Google fired him for expressing conservative views, while Damore claimed his memo fell within protections for discussing workplace conditions.⁸⁸ Separately, Damore also joined a class action lawsuit that claimed that Google was biased against conservative white men.⁸⁹ Chevalier, on the other hand, sued Google for wrongful termination, claiming that his political statements fell within his legal workplace protections.^{90,91} While a variety of federal and local provisions protected individual speech, both in public and in the workplace, it was

unclear which, if any, applied to the fired Googlers (see **Exhibit 10** for a list of laws applicable to workplace speech).

By September 2019, the NLRB reached a settlement regarding Cernekee's bias complaint. The settlement required Google to allow speech in the workplace, including discussion of political topics, and required Google to post a list of workers' federally-protected rights in its offices.⁹² These protections included the ability to freely discuss workplace conditions with the media, the ability to unionize, and the right to discuss workplace and diversity-related issues with management (see **Exhibit 11**).⁹³

Project Maven

While debates about political speech in the workplace swept the company, Google faced another, albeit different, form of employee dissent. In February 2018, several Google engineers voiced concerns internally about a new assignment they had received involving a contract with the U.S. Department of Defense. Called Project Maven, the project used artificial intelligence (AI) to read images and videos in order to make drone strikes more accurate.⁹⁴

Several employees objected to Project Maven, given its potential capability to be used against humans. If the government ever decided to use the Project Maven technology to target humans, Google's contributions would make the drone strikes more deadly. An AI researcher named Meredith Whittaker took the lead on employee dissent and drafted a petition to Pichai requesting that Google end its contract with the Pentagon.⁹⁵ The petition, which referenced Google's "Don't Be Evil" motto and reminded Pichai of the company's corporate values and mission, soon received more than 4,500 signatures.⁹⁶ (Soon after this incident, Google removed almost all discussion of the phrase "Don't Be Evil" from its code of conduct and replaced it with broader language about ethical behavior.)⁹⁷

Google assured its employees that the technology underpinning Project Maven was intended to protect lives; teaching drones to distinguish between human and non-human images would reduce the likelihood of civilian casualties in strikes. But the backlash did not abate. In May 2018, roughly a dozen employees quit in protest.⁹⁸ Two weeks later, Diane Greene, CEO of Google Cloud, revealed that Google would cease work on Project Maven after its initial contract expired.⁹⁹ Pichai announced that Google would continue to work with the military, but vowed that the company would reject projects that integrated AI into weapons or other potentially lethal technologies.¹⁰⁰

Project Dragonfly

On the heels of the Project Maven backlash, in August 2018, confidential documents leaked to *The Intercept* revealed a secret Google contract to build a search engine for China. The project, nicknamed Project Dragonfly, would automatically censor material that the Chinese government wanted to restrict, ranging from negative media coverage to scholarly research. Prior to the media leak, only a select number of Google employees were aware of the project.¹⁰¹

Google faced instant criticism from human rights groups, its investors, members of U.S. Congress, and its own workers. Once again, several Google employees resigned, citing ethical opposition to censorship, and others drafted a petition to voice their disagreement with Project Dragonfly.¹⁰² The petition stated, "Many of us accepted employment at Google with the company's values in mind," and pointed out that Project Dragonfly would entangle Google in the Chinese government's alleged human rights abuses.¹⁰³ After enormous public and political pressure, Google dissolved the project in July 2019, but refused to confirm that the company would reject censorship projects in the future.¹⁰⁴

The Google Walkout for Real Change

In October 2018, Google faced another wave of criticism following revelations that it had shielded three executives accused of sexual misconduct over a ten-year period.¹⁰⁵ The *New York Times* reported that Google had asked Andy Rubin, the creator of Android, to resign after an internal investigation corroborated allegations that he had coerced a coworker into performing a sex act.¹⁰⁶ Rubin had received a \$90 million payout following his departure from the company in 2014.¹⁰⁷ Some claimed that Rubin had been permitted to behave poorly because he was considered a so-called tech “aberrant genius.”¹⁰⁸

A second executive, Amit Singhal, received a multi-million dollar exit package when he resigned in 2016 following accusations that he groped a colleague at an office event. A subsequent *New York Times* article disclosed that Google paid Singhal \$45 million upon his departure.¹⁰⁹ In response to these allegations, Pichai and Eileen Naughton, Google’s Vice President of People Operations, sent an all-staff email, in which they wrote, “We are dead serious about making sure we provide a safe and inclusive workplace. We want to assure you that we review every single complaint about sexual harassment or inappropriate conduct, we investigate and we take action.”¹¹⁰ In the email, they noted that between 2016 and 2018, Google had fired 48 individuals for sexual misconduct and did not grant any of them exit packages.¹¹¹

But many Google employees seemed unimpressed with the company’s response to the *New York Times* expose. On November 1, 2018, approximately 20,000 Google employees in offices around the world walked out to protest how the company dealt with sexual misconduct.¹¹² Whittaker, one of the walkout organizers, stated, “I am here because what you read in the *New York Times* are a sampling of the thousands of stories we all have.”¹¹³ Meanwhile, Google leadership voiced encouragement for the walkout. Pichai circulated a company-wide memo with words of support for employees who chose to participate, and Ruth Porat, Google’s Chief Financial Officer and one of the company’s top female executives, was among the women who joined the walkout.¹¹⁴

Whittaker and her co-organizers had five demands of Google following the walkout. First, they demanded that Google stop forced arbitration; that is, requiring employees to go through third-party arbitration to resolve potential cases of harassment and discrimination rather than seeking outside legal counsel. They also demanded tangible progress toward increasing pay equity for women and employees of color, a public report disclosing the details of harassment claims submitted to Google, and a better system for submitting sexual misconduct complaints that was accessible to Google’s many part-time and contract temporary workers. Finally, they requested that the chief diversity officer report directly to the CEO, and that a Google employee sit on the board to ensure that the company was working toward the organizers’ other demands.¹¹⁵

Google leadership was swift to respond. On November 8, 2018, Pichai announced in a company-wide email that Google was ending forced arbitration for accusations of sexual harassment and assault.¹¹⁶ Pichai also announced other policy changes, including greater transparency for how the company handled sexual misconduct allegations, increased support for employees who file misconduct claims, and a revitalized effort toward diversity and inclusion.¹¹⁷ The walkout organizers were unsatisfied with the company’s response, noting that Google did not meet several of their demands, including an employee representative on the board and increased protections for contract and temporary workers.¹¹⁸

Allegations of Retaliation

Three weeks after the walkout, Google requested the reversal of a government policy that allowed workers to organize on company email accounts.¹¹⁹ Although Google denied that the request was connected to the walkout, many walkout participants lost faith in Pichai's previous overtures of support.¹²⁰ Meanwhile, reports soon emerged of hostile behavior toward the walkout organizers. In April 2019, Whittaker and Claire Stapleton, another co-organizer of the walkout, distributed an internal letter in which they claimed Google retaliated against them for their role in the protest.¹²¹ Stapleton, a marketing manager at YouTube, stated that she was demoted shortly after the walkout and was advised to take medical leave.¹²² According to Whittaker, Google requested she give up her external research with New York University's AI Now Institute and notified her that the nature of her role at Google had changed.¹²³ Stapleton submitted her resignation in May 2019, and Whittaker resigned less than two months later.¹²⁴ Within one year of the walkout, four of the seven leaders of the walkout had departed the company.¹²⁵

Other employees involved in internal activism also reported instances of retaliation. Ross LaJeunesse, Google's former Head of International Relations, claimed that the company demoted him after he raised concerns about projects with potential human rights violations, including contracts with the Chinese and Saudi Arabian governments.¹²⁶ LaJeunesse, who was openly gay, also claimed he witnessed multiple instances of discrimination against women, minorities, and LGBTQIA employees during his 11 years at Google.¹²⁷ After departing Google in May 2019, LaJeunesse announced his intention to run for a U.S. Senate seat.¹²⁸ Another internal activist, transgender engineer Irene Knapp, resigned in November 2019, citing retaliation as one of the contributing factors for her departure.¹²⁹

Contract Workers and Unionization

As Google implemented the policy changes stemming from the walkout, employees began agitating for further systemic change – this time for improved status of Google's contract workers.

Contract Workers at Google

By March 2019, Google's workforce consisted of more temporary, vendor, and contract workers (TVCs) than full-time employees (121,000 versus 102,000, respectively).¹³⁰ While TVCs often worked at Google offices, used Google email accounts, and represented Google at external events, Google did not consider them employees.¹³¹ Most TVCs were employed by third-party staffing agencies, who provided Google with a pipeline of contract labor.¹³²

OnContracting, a tech staffing agency, estimated that a temporary tech worker in the United States cost \$100,000 less on average than a permanent employee.¹³³ Not only did TVCs earn substantially lower salaries than full-time workers, but they were also excluded from some of the benefits and company perks enjoyed by salaried employees.¹³⁴ Google did not permit TVCs to attend the weekly TGIF meetings or other company-wide meetings and social events, and had strict policies regarding whether TVCs could receive company merchandise.¹³⁵ More importantly, former TVCs expressed frustration with a lack of upward mobility within Google, indicating that they accepted temporary positions under the impression that they would eventually be hired in a full-time capacity.¹³⁶ Google leadership denied using TVCs as a cost-cutting tactic, claiming that they relied on TVCs to meet a growing need for specialized labor.¹³⁷

In April 2019, Google announced that all TVCs would receive improved benefits, such as sick days and a guaranteed minimum wage of \$15 per hour, by January 2022.¹³⁸ However, public policymakers

remained skeptical of the hierarchy between TVCs and Google's full-time workers. In August 2019, several U.S. senators demanded that Google offer its TVCs full-time status.¹³⁹ In response, Naughton released a statement clarifying that a TVC position was not meant to be a pathway to full-time employment within the company.¹⁴⁰

Unionization Attempts

The right for employees to self-organize in the U.S. was enshrined by the 1935 National Labor Relations Act.¹⁴¹ Labor unions advocated for the rights and interests of a group of workers, typically within the same industry or trade.¹⁴² Most often, unions were formed to protect the rights of blue-collar employees, and were rare among white-collar tech employees, primarily because these employees often did not believe they could benefit from a union.¹⁴³ Tech employees were among the highest-paid and most in-demand labor force in the United States, and many believed their power derived from their individual economic value, rather than the collective unity of their fellow workers.¹⁴⁴ Additionally, the casual, friendly office culture at many tech companies made many employees resistant to the idea of formally breaking away from their managers.¹⁴⁵ In the rare instances when tech employees attempted unionization, company leaders were swift to dismantle their efforts, arguing that unions were barriers to the dynamic, ever-changing needs of the tech workforce.¹⁴⁶

However, in September 2019, a group of Google's technical contractors in Pittsburgh decided to unionize.¹⁴⁷ In response, Google released a statement noting that the unionization did not impact Google, as the workers were not Google employees.¹⁴⁸ Although Google cooperated with the Pittsburgh organizers, less than a month later, Google management tried—and failed—to cancel a planned unionization discussion for full-time employees in the company's Zurich office.¹⁴⁹

In November 2019, Google employees leaked evidence that the company had hired IRI Consultants, a firm that specialized in tactics to discourage unionization.¹⁵⁰ IRI Consultants' services included educating employees about the downsides of unionization, helping employers anticipate and refute organizers' pro-unionization arguments, and creating communications plans to emphasize the positive elements of the workplace.¹⁵¹ Meanwhile, reports surfaced that Google engineers were developing a browser extension for employee calendars that would detect and report workers who organized meetings with more than 100 participants.¹⁵² Many Google employees feared that the tool was part of Google's efforts to prevent unionization; Google claimed that the extension was part of an effort to reduce unnecessary calendar invitations.¹⁵³

Firing Employee Activists

Many of these issues came to a head on November 25, 2019, when Google fired four employees for accessing unauthorized documents, leaking confidential information, and conducting surveillance of co-workers, that in some cases included sharing their personal information externally.¹⁵⁴ Google notified employees of the situation in a company-wide memo, stating:

When the affected Googlers discovered this, many reported that they felt scared or unsafe, and requested to work from another location [. . .] We have always taken information security very seriously, and will not tolerate efforts to intimidate Googlers or undermine their work, nor actions that lead to the leak of sensitive business or customer information. This is not how Google's open culture works or was ever intended to work.

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Dubbed the "Thanksgiving Four," the fired employees immediately filed a complaint with the NLRB, stating that Google had illegally retaliated against them for their organizing efforts. The fired

workers believed that Google's updated privacy standards were deliberately vague, providing the company with an excuse to fire them.¹⁵⁶ They also released a letter in which they stated that their organizing attempts were intended to improve working conditions for their co-workers.¹⁵⁷

Less than a month later, Google fired security engineer Kathryn Spiers after she developed a pop-up that automatically featured a reminder of employees' federally-protected right to unionize whenever an internal computer accessed the IRI Consultants website.¹⁵⁸ Google claimed that Spiers was fired for creating the pop-up without receiving the proper authorizations, and that Spiers's firing was unrelated to the contents of the message itself.¹⁵⁹ Like the Thanksgiving Four, Spiers claimed that Google fired her in retaliation for organizing.¹⁶⁰ Shortly after Spiers was fired, one of her former colleagues defended her on social media, stating, "Kathryn was on my team. There was zero reason why she should have asked anyone else on the team for authorization to make changes to this extension."¹⁶¹ Spiers, alongside three members of the Thanksgiving Four, identified as LGBTQIA.¹⁶²

Changes at Google

In August 2019, Google leadership released a new set of regulations regarding employee speech in the workplace (see **Exhibit 12**). Pichai notified employees that they should no longer engage in political conversation and debate at the office.¹⁶³ Further, managers would now be responsible for monitoring internal employee conversations to ensure that they adhered to the new standards of speech.¹⁶⁴ The guidelines also contained language that explicitly prohibited harassment and the leaking of confidential information.¹⁶⁵ While the new guidelines had the potential to reduce the internal disputes between conservative and liberal employees, they also marked a stark shift from Google's longstanding culture of open communication. Google also clarified that the changes to the company guidelines did not conflict with any federally-protected employee rights.¹⁶⁶

Months later, a video leaked of Pichai expressing concern over Google's internal tensions at an all-staff meeting. "I think [employee trust is] one of the most foundational things for the company," he said. "I take it seriously, [and] I think we are genuinely struggling with some issues—transparency at scale."¹⁶⁷ External observers had also taken note: following its many years atop the "Best Place to Work" rankings, Google did not make *Fortune's* top 100 list in 2018 or 2019. The company in 2019 began to institute a number of changes aimed at addressing the lingering culture issues.

Changes were also underfoot for Google's TGIF meetings. While Google founders Page and Brin usually attended every TGIF meeting, they were notably absent at these meetings through the first six months of 2019.¹⁶⁸ In November 2019, Google announced that it was replacing its TGIF meetings with more formal, monthly meetings.¹⁶⁹ These new monthly meetings would be limited to conversations about Google's business strategy. Pichai pointed to a "coordinated effort to share our conversations outside of the company after every TGIF" as the rationale for discontinuing the meetings.¹⁷⁰ (**Exhibit 13** chronicles the events at Google from 2017 onward.)

Several weeks later, Page and Brin announced that they were stepping down from their management positions within Alphabet and handing over their responsibilities as president and CEO to Pichai. Pichai would now oversee all Alphabet subsidiaries and divisions, which included Google, CapitalG, Calico, and Google X.¹⁷¹

Exhibit 1 Timeline of Big Tech Employee-Relations Issues, 2017-2019

- February 19, 2017: Susan Fowler writes a viral blog post recounting instances of sexual harassment and discrimination at Uber.
- June 21, 2017: Travis Kalanick resigns as CEO of Uber.
- September 13, 2017: Social Finance (SoFi) Chairman and CEO Mike Cagney, announces his resignation following revelations of company-wide sexual harassment.
- July 26, 2018: More than 300,000 Microsoft employees sign an internal letter petitioning their company to cancel its contracts with Immigration and Customs Enforcement (ICE).
- October 2018: More than 450 Amazon employees sign a petition requesting the company stop selling facial recognition technology to law enforcement departments.
- October 24, 2018: A *Wall Street Journal* article about Netflix depicts a cutthroat work culture.
- November 28, 2018: Blind Workplace Insights releases a survey revealing that 52% of tech workers believe their work culture is “toxic.”
- January 8, 2019: CNBC publishes an article in which former Facebook employees criticize the company’s culture.
- July 15, 2019: Thousands of Amazon warehouse workers around the world strike to protest their working conditions.
- September 20, 2019: Thousands of tech workers at Microsoft, Google, and Amazon walk out of their offices as part of the Global Climate Strike to protest their companies’ negative environmental impact.
- October 9, 2019: GitHub employees sign an open letter demanding that their company end its contracts with ICE.
- October 28, 2019: Facebook employees write an open letter to Mark Zuckerberg criticizing the company’s stance on political advertising.

Source: Compiled by casewriters.

Exhibit 2 Google's Ten Things We Know to Be True

1. Focus on the user and all else will follow.
2. It's best to do one thing really, really well.
3. Fast is better than slow.
4. Democracy on the web works.
5. You don't need to be at your desk to need an answer.
6. You can make money without doing evil.
7. There's always more information out there.
8. The need for information crosses all borders.
9. You can be serious without a suit.
10. Great just isn't good enough.

Source: Excerpted from "Ten things we know to be true," Google, www.google.com/about/philosophy.html, accessed November 2019.

Exhibit 3 Consolidated Alphabet Financials, in US\$ Millions, 2014-2018

For the fiscal period ending December 31	2014	2015	2016	2017	2018
Revenue	66,001	74,989	90,272	110,855	136,819
Cost of Goods Sold	25,313	28,164	35,138	45,583	59,549
Gross Profit	40,688	46,825	55,134	65,272	77,270
Selling General & Admin Expense	13,982	15,183	17,470	19,765	24,459
R&D Expense	9,832	12,282	13,948	16,625	21,419
Total Operating Expense	23,814	27,465	31,418	36,390	45,878
Interest Expense	(101)	(104)	(124)	(109)	(114)
Interest and Investment Income	746	999	1,220	1,312	1,878
Net Interest Expense	645	895	1,096	1,203	1,764
Currency Exchange Gains (Loss)	(402)	(422)	(475)	(121)	(80)
Other Non-Operating Income (Expense)	130	152	88	158	378
EBT Excluding Unusual Items	17,247	19,985	24,425	30,122	33,454
Impairment of Goodwill	0	0	0	0	0
Gain (Loss) on Sale of Investments	390	(334)	(275)	(193)	6,530
Asset Writedown	(378)	0	0	0	0
Legal Settlements	0	0	0	0	0
Other Unusual Items	0	0	0	(2,736)	(5,071)
EBT Including Unusual Items	17,259	19,651	24,150	27,193	34,913
Income Tax Expense	3,639	3,303	4,672	14,531	4,177
Earnings from Cont. Operations	13,620	16,348	19,478	12,662	30,736
Earnings of Discontinued Operations	516	0	0	0	0
Net Income to Company	14,136	16,348	19,478	12,662	30,736

Source: Alphabet Inc., "Income Statement," accessed via Capital IQ, a division of Standard & Poor's.

Exhibit 4a Demographics of the Tech Workforce, Apple, Facebook, Google, Uber, 2018-2019

	Apple	Facebook	Google	Uber
Gender:				
Male	77.0%	77.0%	77.1%	78.1%
Female	23.0%	23.0%	22.9%	21.9%
Race/Ethnicity:				
White	49.0%	40.0%	51.1%	41.1%
Asian	35.0%	52.3%	45.1%	47.9%
Hispanic/Latinx	8.0%	3.5%	4.5%	4.4%
Black	6.0%	1.5%	2.1%	3.6%
Multiracial	2.0%	2.3%	N/A	2.7%
Other	1.0%	0.4%	0.7%	0.3%

Source: Casewriter, compiled from company diversity & inclusion reports.

Note: The most recent statistics for Apple and Uber are for 2018. Facebook and Google's statistics represent 2019. The Google diversity report counted multiracial people as a member of all racial groups with which they identified. As such, the sum of racial percentages of Google workers in the table is higher than 100%. Data for gender at each company is global, while data regarding race and ethnicity is specific to U.S. workers.

Exhibit 4b Demographics of the Overall Workforce, Apple, Facebook, Google, Uber, 2018-2019

	Apple	Facebook	Google	Uber
Gender:				
Male	67.0%	63.1%	68.4%	59.1%
Female	33.0%	36.9%	31.6%	40.9%
Race/Ethnicity:				
White	50.0%	44.2%	54.4%	44.7%
Asian	23.0%	43.0%	39.8%	33.0%
Hispanic/Latinx	14.0%	5.2%	5.7%	8.3%
Black	9.0%	3.8%	3.3%	9.3%
Multiracial	3.0%	3.1%	N/A	4.0%
Other	1.0%	0.7%	0.8%	0.7%

Source: Casewriter, compiled from company diversity & inclusion reports.

Note: The most recent statistics for Apple and Uber are for 2018. Facebook and Google's statistics represent 2019. The Google diversity report counted multiracial people as a member of all racial groups with which they identified. As such, the sum of racial percentages of Google workers in the table is higher than 100%. Data for gender at each company is global, while data regarding race and ethnicity is specific to U.S. workers.

Exhibit 5a Demographics of Google's Overall Workforce, 2014-2019

	2014	2015	2016	2017	2018	2019
Gender:						
Male	69.4%	69.4%	69.4%	69.2%	69.1%	68.4%
Female	30.6%	30.6%	30.6%	30.8%	30.9%	31.6%
Race/Ethnicity:						
White	64.5%	62.9%	61.0%	58.5%	56.6%	54.4%
Asian	31.5%	32.7%	33.9%	36.3%	38.1%	39.8%
Hispanic/Latinx	4.5%	4.9%	5.2%	5.3%	5.3%	5.7%
Black	2.4%	2.5%	2.8%	2.8%	3.0%	3.3%
Native American	1.0%	1.0%	0.8%	0.8%	0.8%	0.8%

Source: "Google Diversity Annual Report 2019," p. 39, accessed December 2019.

Note: The diversity report counted multiracial people as a member of all racial groups with which they identified. As such, the sum of racial percentages in the table is higher than 100%. Data for gender is global, while data regarding race and ethnicity is specific to U.S. workers.

Exhibit 5b Demographics of Google's Tech Workforce, 2014-2019

	2014	2015	2016	2017	2018	2019
Gender:						
Male	83.4%	82.0%	80.9%	79.8%	78.6%	77.1%
Female	16.6%	18.0%	19.1%	20.2%	21.4%	22.9%
Race/Ethnicity:						
White	62.3%	60.6%	58.7%	56.1%	53.6%	51.1%
Asian	35.1%	36.4%	38.1%	40.6%	42.8%	45.1%
Hispanic/Latinx	3.6%	4.0%	4.1%	4.2%	4.3%	4.5%
Black	1.5%	1.6%	1.7%	1.8%	1.9%	2.1%
Native American	0.8%	0.8%	0.6%	0.6%	0.6%	0.7%

Source: "Google Diversity Annual Report 2019," p. 39,
https://static.googleusercontent.com/media/diversity.google/en//static/pdf/Google_diversity_annual_report_2019.pdf, accessed December 2019.

Note: The diversity report counted multiracial people as a member of all racial groups with which they identified. As such, the sum of racial percentages in the table is higher than 100%. Data for gender is global, while data regarding race and ethnicity is specific to U.S. workers.

Exhibit 5c Demographics of Google's Workforce Compared to the U.S. Population

Group	Google 2019			U.S. Overall	
	Overall	Leadership	Tech	US. Civilian Labor Force 2018	Computer Science Bachelor Degrees Awarded in U.S, 2018
Gender:					
Male	68%	74%	77%	53%	80%
Female	32%	26%	23%	47%	20%
Race/Ethnicity:					
White	54%	67%	51%	78%	53%
Asian	40%	29%	45%	6%	16%
Hispanic/Latinx	6%	3%	5%	18%	10%
Black	3%	3%	2%	13%	9%
Native American	0.8%	0.7%	0.7%	1%	0.3%

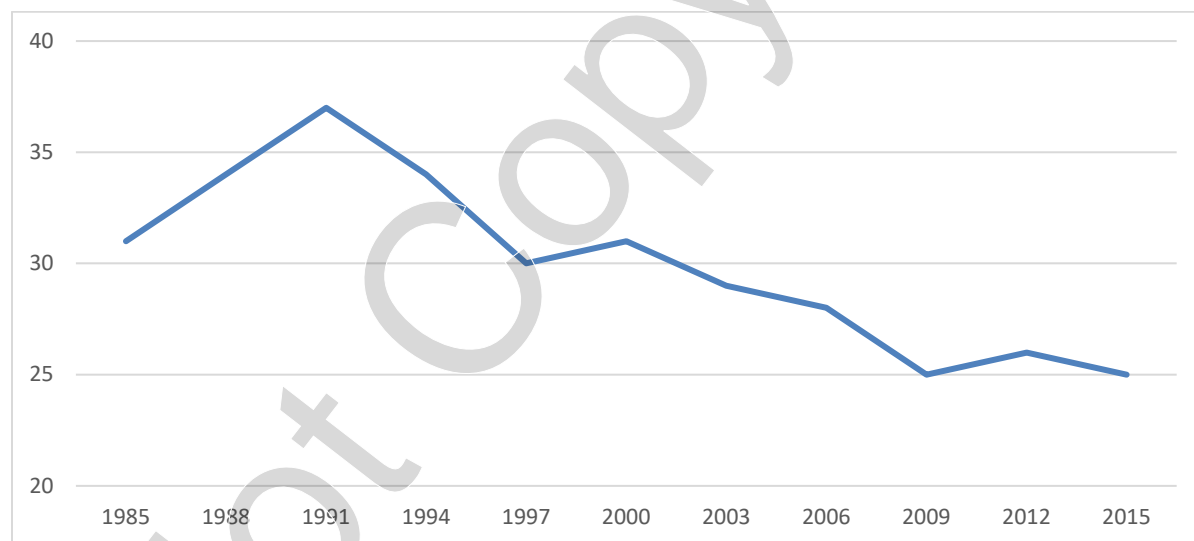
Source: Casewriters, compiled from U.S. Bureau of Labor Statistics, "Labor force characteristics by race and ethnicity, 2018," October 2019, <https://bit.ly/32DrDol>, accessed April 2020; National Center for Education Statistics, <https://bit.ly/3anK8A0>, accessed February 2020; and "Google Diversity Annual Report 2019," p. 39, https://static.googleusercontent.com/media/diversity.google/en//static/pdf/Google_diversity_annual_report_2019.pdf, accessed December 2019.

Exhibit 6 Percentage of U.S. Computing Jobs Held by Women, Disaggregated by Race, 2018

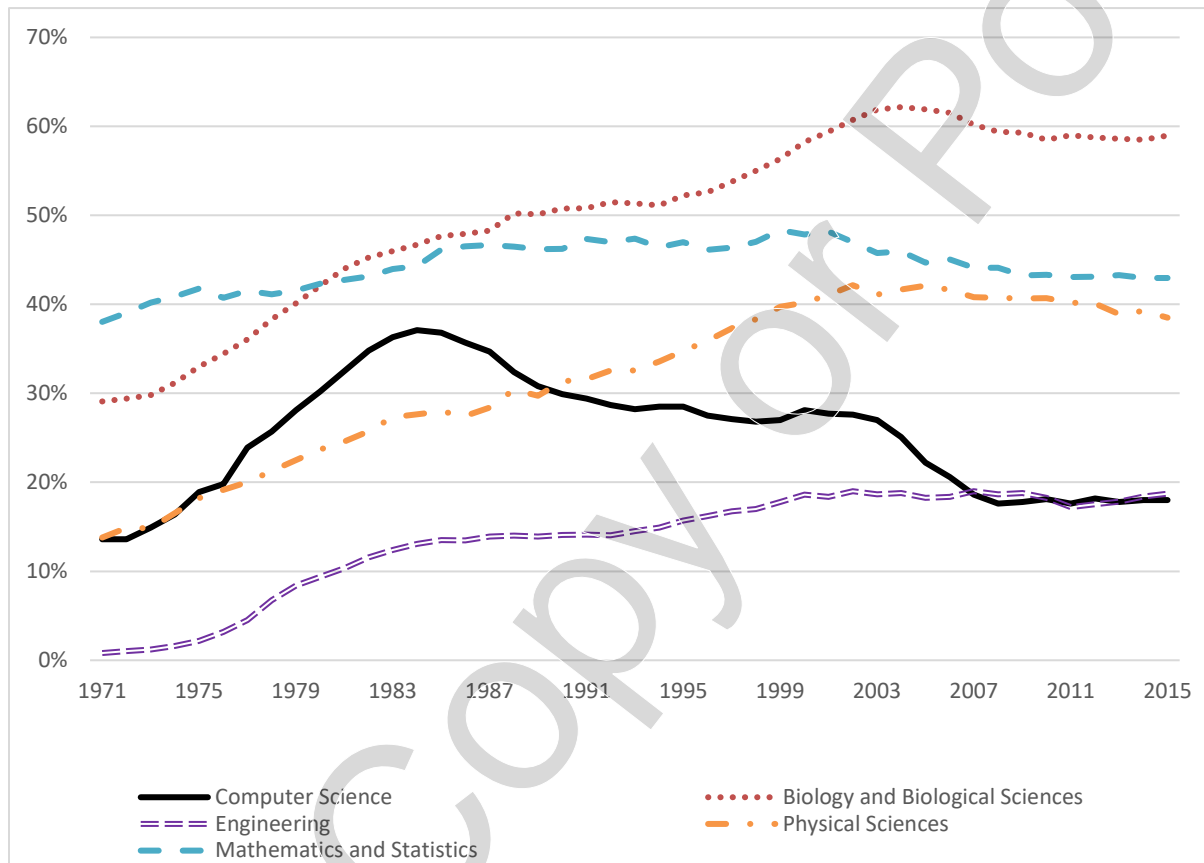
Group	% of Computing Jobs	% of Workforce
All Women	26.0%	47.0%
White Women	15.0%	35.6%
Asian Women	6.0%	2.9%
Black/African-American Women	3.0%	6.6%
Latina/Hispanic Women	2.0%	7.5%

Source: "Women and Information Technology by the Numbers," National Center for Women and Information Technology, May 9, 2019, https://www.ncwit.org/sites/default/files/resources/btn_05092019_web.pdf; U.S. Bureau of Labor Statistics, "Labor force characteristics by race and ethnicity, 2018," October 2019, <https://bit.ly/32DrDol>, accessed February 2020.

Note: Participants who identified as Latina/Hispanic in the U.S. Bureau of Labor Statistics may belong to any race; thus, the numbers in the "Percent of Workforce" column are higher than 100%.

Exhibit 7 Percentage of Computing Occupations Held By Women in the U.S., 1995-2015

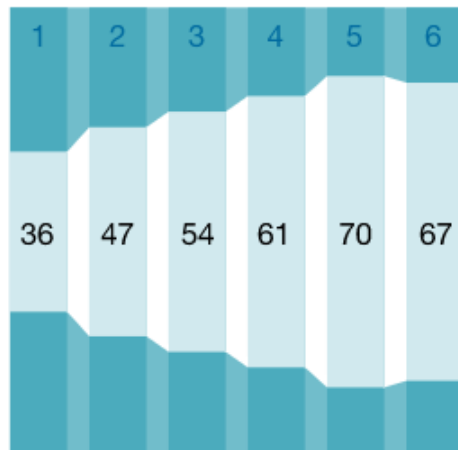
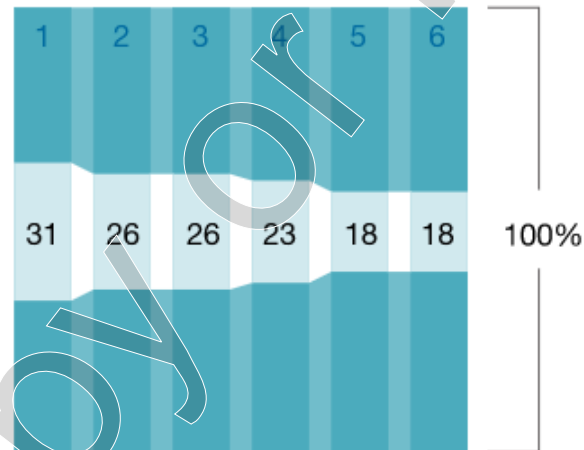
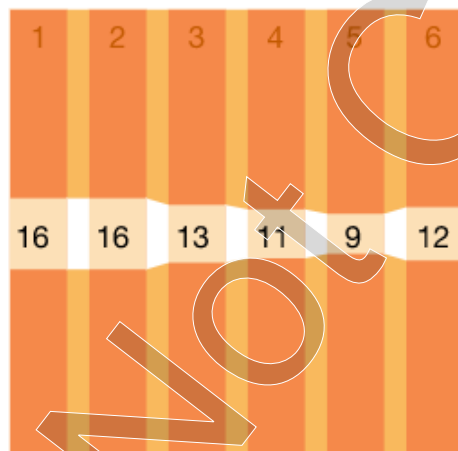
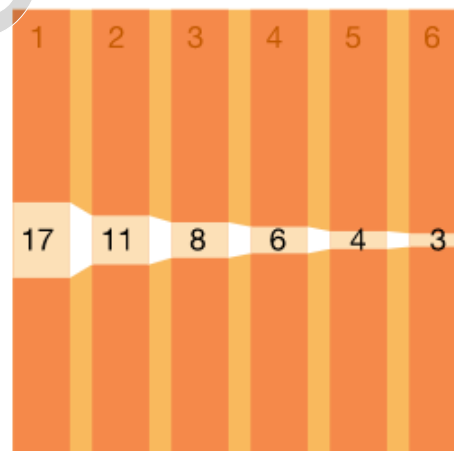
Source: Catherine Ashcraft, Brad McLain, and Elizabeth Eger, "Women in Tech, the Facts," National Center for Women & Information Technology, 2016 Update, p. 7, BASED ON THE U.S. DEPARTMENT OF LABOR CURRENT POPULATION SURVEY. http://www.ncwit.org/sites/default/files/resources/womenintech_facts_fullreport_05132016.pdf, accessed January 2020.

Exhibit 8 Proportion of Undergraduate STEM Degrees Earned by Women in the U.S., 1970-2015

Source: Casewriters, compiled from the National Center for Education Statistics, <https://bit.ly/3anK8A0>, accessed February 2020.

Exhibit 9 Percent of Employees by Position at 222 Sample Companies, by Race and Gender, 2017

1 = Entry level 3 = Senior manager/director 5 = Senior vice president
 2 = Manager 4 = Vice president 6 = C-suite

White men**White women****Men of color****Women of color**

Source: Exhibit from "Women in the Workplace 2017", October 2017, McKinsey & Company, www.mckinsey.com. Copyright (c) 2020 McKinsey & Company. All rights reserved. Reprinted by permission.

Exhibit 10 Selection of Legal Considerations for Speech in the Workplace

Statute	Definition	Practical Application
First Amendment Rights	"Congress shall make no law...abridging the freedom of speech, or of the press..."	Prevents the government from controlling individual speech, writing, and expression.
At-will employment	Employers and individual workers both have the right to terminate employment at any time.	Allows employers to fire workers without cause. At-will employment does not protect employers who fire workers for reasons due to illegal discrimination.
National Labor Relations Act	"Employees shall have the right to self-organization, to form, join, or assist labor organizations...and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection."	Protects employees' right to unionize. Broadly, the phrase "mutual aid or protection" may apply to workers attempting to improve their workplace environment for the benefit of all employees.
California Labor Code Section 1101	"No employer shall make, adopt, or enforce any rule, regulation, or policy: a) Forbidding or preventing employees from engaging in or participating in politics or from becoming candidates in public office [or] b) Controlling or directing, or tending to control or direct the political activities or affiliations of employees."	Broadly protects employees' right to engage in politics, including participation in political or social movements.
California Labor Code Section 1102	"No employer shall coerce or influence or attempt to coerce or influence his employees through or by means of threat of discharge or loss of employment to adopt or follow or refrain from adopting or following any particular course or line of political action or political activity."	Prevents employers from discriminating against employees based on their political affiliations or forcing employees to conform to a company-wide political affiliation.
Civil Rights Act, Title VII	"It shall be unlawful employment practice...to fail or refuse to hire or to discharge any individual, or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin."	Employers may not discriminate against employees due to their race, color, religion, sex, or national origin.

Source: Compiled by casewriter from: Geoffrey R. Stone and Eugene Volokh, "Freedom of Speech and the Press," Interactive Constitution, <https://constitutioncenter.org/interactive-constitution/interpretation/amendment-i/interps/266>; "Employment-at-will Doctrine," Legal Information Institute, <https://www.law.cornell.edu/wex/employment-at-willDoctrine>; Lisa Guerin, "Employment At Will: What Does It Mean?", NOLO, <https://www.nolo.com/legal-encyclopedia/employment-at-will-definition-30022.html>; "National Labor Relations Act," National Labor Relations Board, <https://www.nlr.gov/how-we-work/national-labor-relations-act>; "Unfair Labor Practices," Bitman&King, LLP, <https://bklawyers.com/employment-law-resources/unfair-labor-practices/>; California Law, Political Affiliations [1101-1106], https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=LAB§ionNum=1101; Eric Lloyd, "The Perils of Politics in the California Workplace," Seyfarth, January 2, 2019, <https://www.calpeculiarities.com/2019/01/02/the-perils-of-politics-in-the-california-workplace/>; "Title VII of the Civil Rights Act of 1964: Equal Employment Opportunity," Find Law, <https://employment.findlaw.com/employment-discrimination/title-vii-of-the-civil-rights-act-of-1964-equal-employment.html>; all accessed February 2020.

Exhibit 11 Employee Rights Posted on Google Campus Following NLRB Settlement**FEDERAL LAW GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

YOU HAVE THE RIGHT to discuss wages, hours, and working conditions with other employees, the press/media, and other third parties, and **WE WILL NOT** do anything to interfere with your exercise of those rights.

YOU HAVE THE RIGHT to freely bring workplace diversity issues and requests to clarify permissible workplace behavior to us on behalf of yourself and other employees and **WE WILL NOT** do anything to interfere with your exercise of that right.

WE WILL NOT threaten employees because they presented workplace diversity issues to us and requested clarifications of permissible workplace behavior.

WE WILL NOT reprimand, discipline, or issue a final written warning to you because you exercise your right to bring to us, on behalf of yourself and other employees, issues and complaints regarding your wages, hours, and other terms and conditions of employment.

WE WILL NOT make it appear to you that we are watching out for your protected concerted activities or ask that you report other employees who are engaging in protected concerted activity regarding their wages, hours, and working conditions.

WE WILL NOT threaten you with the loss of your job or other retaliation if you engage in protected activity with other employees regarding your wages, hours, and working conditions.

WE WILL NOT prohibit you from discussing or sharing information related to your performance, salaries, benefits, discipline, training, or any other terms and conditions of your employment and **WE HAVE** rescinded any such rules from our Data Classification Guidelines and related Data Security Policy effective November 2016.

WE WILL NOT maintain rules that define “confidential information” to include employee information about wages and terms and conditions of employment and **WE HAVE** rescinded sections of our Data Security Policy and our Data Classification Guidelines that arguably used such a definition of “confidential information” effective November 2016.

WE WILL NOT prohibit you from talking to the press/media about your terms and conditions of employment or require you to obtain prior approval before speaking with the press/media and **WE HAVE** rescinded any such rules in our Appropriate Conduct Policy, the “Interacting with the Press” provision in the Employee Communications Policy, and the “Outside Communication and Research” provision in the Google Code of Conduct effective September 2016, December 2016, and April 2017, respectively.

WE WILL remove from our files all references to the final written warning issued to the Charging Party on August 19, 2015, and **WE WILL** notify him in writing that this has been done and that the final written warning will not be used against him in any way.

WE HAVE notified you that we have rescinded the rules described above.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

Source: Excerpted from Jennifer Elias, “Google will now post this list of employee ‘rights’ at HQ as part of legal settlement,” CNBC, September 13, 2019, <https://www.cnbc.com/2019/09/13/googles-settlement-on-speech-with-nlr-requires-posting-rights.html>, accessed December 2019.

Exhibit 12 Google Community Guidelines

Community Guidelines exist to support the healthy and open discussion that has always been a part of our culture. They help create an environment where we can come together as a community in pursuit of our shared mission and serve our users. Working at Google comes with tremendous responsibility. Billions of people rely on us every day for high-quality, reliable information. It's critical that we honor that trust and uphold the integrity of our products and services. The following guidelines are official policy and apply when you're communicating in the workplace.

Here are some key things to remember as you communicate:

- **Be responsible.** What you say and do matters. You're responsible for your words and actions and you'll be held accountable for them.
- **Be helpful.** Your voice is your contribution – make it productive.
- **Be thoughtful.** Your statements can be attributed to Google regardless of your intent, and you should be thoughtful about making statements that could cause others to make incorrect assumptions.

1. **When communicating, follow the three Google Values.**

Respect the user, respect the opportunity, respect each other. Our Values govern how we conduct ourselves in the pursuit of our mission. We each need to own them personally, we all need to own them collectively.

2. **Do your part to keep Google a safe, productive, and inclusive environment for everyone.**

While sharing information and ideas with colleagues helps build community, disrupting the workday to have a raging debate over politics or the latest news story does not. Our primary responsibility is to do the work we've each been hired to do, not to spend working time on debates about non-work topics.

Avoid conversations that are disruptive to the workplace or otherwise violate Google's workplace policies. Managers are expected to address discussions that violate those rules.

3. **Discussions that make other Googlers feel like they don't belong have no place here.**

Don't troll, name call, or engage in ad hominem attacks – about anyone. This includes making statements that insult, demean, or humiliate (whether individually or by reference to groups) other employees, our extended workforce, our business partners, or others (including public figures), or that violate other standards of conduct or policies against harassment and bullying.

4. **You are responsible for your words and your reach.**

What you say and do matters and can have lasting impact. Be respectful in your comments about (and to) your fellow Googlers.

As a Googler, your comments – wherever you make them – can have a serious impact on other Googlers, yourself and our company. We're all free to raise concerns and respectfully question and debate the company's activities – that's part of our culture. Be sure to speak with good information. Don't assume you have the full story, and take care not to make false or

misleading statements about Google's products or business that could undermine trust in our products and the work that we do.

5. Treat our data with care.

Keep in mind that our communications can be rapidly and broadly disseminated. Do not access, disclose, or disseminate Need-to-Know or Confidential information in violation of our Data Security Policy.

You are responsible for adhering to these guidelines, our Code of Conduct, and other workplace policies. If discussions or behavior don't align with this policy, managers and discussion owners/moderators are expected to intervene. If necessary we will remove particular discussion forums, revoke commenting, viewing, or posting privileges, or take disciplinary action.

Subject to local laws and policies, Googlers and our extended workforce may communicate about pay, hours, other work terms and conditions, or about any violation of law, although they may not publicly disclose confidential information other than as provided by law.

Source: Excerpted by casewriter from "Community Guidelines," Google, <https://about.google/community-guidelines/>, accessed December 2019.

Exhibit 13 Timeline of Google Employee-Relations Issues

- January 4, 2017: The Department of Labor sues Google to release historical compensation data as part of an investigation on gender pay equity.
- January 30, 2017: Google employees rally at corporate offices to protest President Trump's travel ban.
- August 5, 2017: James Damore memo leaks to the public.
- August 7, 2017: Google fires James Damore.
- September 12, 2017: Three women sue Google for gender pay discrimination.
- February 28, 2018: Meredith Whittaker drafts a petition to abandon Project Maven.
- June 8, 2018: Google announces that it will not renew its contract for Project Maven.
- June 2018: Google fires Kevin Cernekee.
- June 2018: Kevin Cernekee files a complaint with the NLRB.
- August 1, 2018: *The Intercept* breaks a story about Google's work with Project Dragonfly.
- October 25, 2018: The *New York Times* breaks a story about Google's multi-million dollar payouts to executives dismissed for sexual harassment.
- November 1, 2018: 20,000 workers participate in the Google Walkout for Real Change to protest the payouts.
- November 2018: Google requests that the NLRB undo protections allowing workers to organize through company email accounts.
- April 22, 2019: Whittaker and Stapleton release an internal letter alleging retaliation for their role in the walkout.
- June 7, 2019: Stapleton departs from Google.
- July 16, 2019: Whittaker departs from Google.
- July 16, 2019: Google announces it will abandon Project Dragonfly.
- August 22, 2019: Pichai notifies employees of revised community guidelines and discourages them from engaging in political arguments in the workplace.
- September 12, 2019: The NLRB and Google settle Cernekee's complaint, requiring Google to post a list of federally-protected worker rights in the office.
- September 24, 2019: Google contractors in Pittsburgh vote to unionize.
- October 2019: Google employees report that the company is developing a browser extension for employee calendars that will report meetings with more than 100 participants.
- October 16, 2019: Google management in the company's Zurich office attempts to cancel a meeting to discuss unionization.
- November 20, 2019: Leaked reports reveal that Google has hired IRI Consultants, a company with a reputation for preventing unionization.
- November 25, 2019: Google fires the "Thanksgiving Four" for data privacy violations.
- December 3, 2019: Sergei Brin and Larry Page step down as President and CEO. Pichai becomes President and CEO of Alphabet Inc.
- December 5, 2019: The Thanksgiving Four file a complaint with the NLRB alleging retaliation for union organizing efforts.
- December 13, 2019: Google fires Kathryn Spiers for creating a pop-up message reminding employees of their right to organize.

Source: Compiled by casewriter.

Endnotes

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