



January 2, 2024

Timothy Riera, Director (acting)  
Jeffrey Burstein, Regional Attorney  
New York District Office  
U.S. Equal Employment Opportunity Commission  
Robert A. Young Federal Building  
33 Whitehall Street, 5th Floor  
New York, NY 10004

**Investigation Request: Sanofi**

Dear Mr. Riera and Mr. Burstein:

America First Legal Foundation (“AFL”) is a national, nonprofit organization working to protect the rule of law, due process, and equal protection for all Americans. We write, pursuant to 29 C.F.R. § 1601.6(a), seeking issuance of a Commissioner’s charge for an inquiry into individual or systemic discrimination by Sanofi.<sup>1</sup> Sanofi is a publicly traded holding company with its principal United States subsidiary’s office located at 55 Corporate Drive, Bridgewater, New Jersey, 08807.<sup>2</sup> Sanofi’s significant United States subsidiaries include Aventis Inc., Genzyme Corporation, and Sanofi Pasteur Inc.<sup>3</sup>

Title VII of the Civil Rights Act of 1964 prohibits Sanofi from discriminating against an employee or an applicant for employment because of race, color, religion, sex, or national origin; to limit, segregate, or classify employees or applicants in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of race, color, religion, sex, or national origin; or to discriminate against any individual because of his race, color, religion, sex, or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.<sup>4</sup> However, the evidence is that Sanofi is knowingly, intentionally, and systematically engaging in such unlawful employment practices.

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<sup>1</sup> Copies of this letter are also addressed to each Member of the Commission and AFL makes the same request of them pursuant to 29 C.F.R. § 1601.6(a).

<sup>2</sup> Sanofi, Form-20-F at 16 (Mar. 17, 2023), <http://tinyurl.com/559reyhd>.

<sup>3</sup> *Id.* at 53.

<sup>4</sup> 42 U.S.C. § 2000e-2.

On December 21, 2023, a tape of former Sanofi Senior Vice President and U.S. Country Lead Carole Huntsman was released on X.<sup>5</sup> In the video, Huntsman describes Sanofi’s “five-year plan” for “internal promotions and external hiring” that “breaks down every level” with “quarterly goals” tracked with data, so “every hiring manager knows” that “one in five hires needs to be a black employee” and “one in ten has to be a Latinx employee” to meet Sanofi’s goals.<sup>6</sup>

A Commissioner’s charge is particularly appropriate here because there is ample reason to believe that Sanofi has knowingly and intentionally violated federal law and intends to continue to do so. Sanofi’s “Diverse Slate Policy” requires the “Talent Acquisition team” for each role to present “a minimum of one person of color and one female in each slate presented to a hiring leader” to achieve “at least 50% diverse representation of 25% POC and 25% female representation.”<sup>7</sup> By 2025, Sanofi intends to have “women representing 40% of [its] executives and 50% of [its] senior leadership” worldwide and to have “37% people of color representation” consisting of “12 percent Black, 10 percent Hispanic, and 14 percent Asian [excluding R&D and Digital]” in the United States.<sup>8</sup> Sanofi enforces these discriminatory policies through executive compensation, and the Board of Directors ensures that its “inclusion and diversity policy is cascaded down to “Senior Leaders” and “Executives.”<sup>9</sup> For example, Chief Executive Officer Paul Hudson’s 2022 compensation accounted for the fact that the “[n]umber of women recruited to positions at Level 5 and above” was “slightly below target.”<sup>10</sup>

Discrimination based on immutable characteristics such as race, color, national origin, or sex “generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely to ever be undone.”<sup>11</sup> More broadly, Sanofi’s employment practices foment contention and resentment—they are “odious and destructive.”<sup>12</sup> It truly “is a sordid business, this divvying us up” by race or sex.<sup>13</sup>

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<sup>5</sup> James O’Keefe (@JamesO’KeefeIII), TWITTER (Dec. 21, 2023, 7:00 PM), <http://tinyurl.com/4tcj6v5w>.

<sup>6</sup> *Id.*

<sup>7</sup> SANOFI, DIVERSITY, EQUITY & INCLUSION 2022 IMPACT REPORT NORTH AMERICA at 7 (May 5, 2023), <http://tinyurl.com/bdwft769>.

<sup>8</sup> SANOFI, SHARPENING OUR DIVERSITY EDGE: DIVERSITY, EQUITY & INCLUSION REPORT 2022 at 4, 8, 18 (2023), <http://tinyurl.com/484panmj>; DIVERSITY, EQUITY & INCLUSION 2022 IMPACT REPORT NORTH AMERICA at 6.

<sup>9</sup> Form-20-F at 84, 132.

<sup>10</sup> Sanofi, *Details of Compensation Arrangements for Executive Directors* at 4 (Feb. 22, 2023), <http://tinyurl.com/4c75cx7n>; *see also, id.* at 6 (“Annual fixed and variable compensation” “individual objectives, unchanged for 2023, comprise: ... People & Culture (7.5%) Diversity, Culture, Succession Pipeline, Simplification”).

<sup>11</sup> *Brown v. Bd. of Education*, 347 U.S. 484, 494 (1954).

<sup>12</sup> *Texas v. Johnson*, 491 U.S. 397, 418 (1989).

<sup>13</sup> *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 511 (2006) (Roberts, C.J., concurring in part).

Thank you in advance for your consideration. Please feel free to contact me if you have any questions.

Sincerely,

/s/ Michael Ding

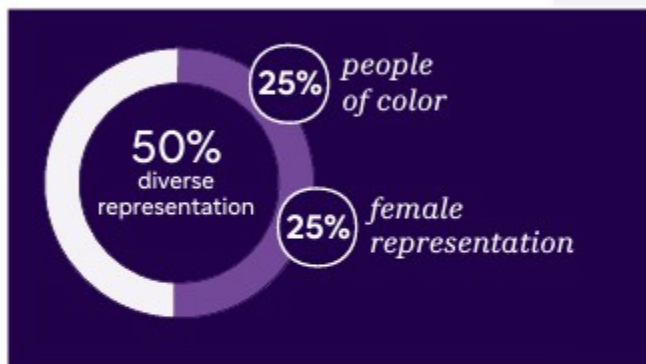
Michael Ding

America First Legal Foundation

Cc: The Honorable Charlotte A. Burrows, Commission Chair  
The Honorable Jocelyn Samuels, Commission Vice Chair  
The Honorable Keith E. Sonderling, Commissioner  
The Honorable Andrea R. Lucas, Commissioner  
The Honorable Kalpana Kotagal, Commission

## APPENDIX

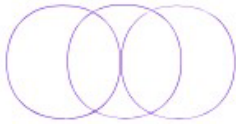
- **Implemented and trained our Talent Acquisition team, People Business Partners, hiring leaders and other key business stakeholders on our Diverse Slate Policy.** Our policy is defined as having at least 50% diverse representation of 25% POC and 25% female representation. For each role, the Talent Acquisition team was intentional with striving toward a minimum of one person of color and one female in each slate presented to a hiring leader.



- **Created an increased level of accountability** for our hiring leaders by ensuring they had the same goal for interview slates.
- **Introduced the US Candidate Diversity Dashboard** to provide our Talent Acquisition Team and hiring leaders leading data regarding candidate slates, providing education and awareness at every step in the hiring process.

# Progress Against *2025 Goals*

Our vision is to reflect the diversity of our communities, unleash the full potential of our employees, and contribute to a more inclusive, equitable world in and beyond our workplace.



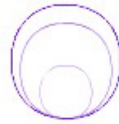
**Reflect:**  
*Building  
representative  
leadership\**

**42%**

*senior leaders are women*  
2025 goal: 50%

**37%**

*executives are women*  
2025 goal: 40%



**Unleash:**  
*Creating an  
inclusive work  
environment*

**8.0 out of 10**

*internal D&I index on the Your  
Voice survey*  
2025 goal: 8.0+

**86%**

*audited workplaces ranked  
bronze or higher for  
accessibility*  
2025 goal: 100%



**Transform:**  
*Beyond the  
workplace*

**€1.23 billion+**

*spend with small and diverse  
businesses*  
2025 goal: €1.5 bn

**100%**

*clinical trials in the US have  
diversity targets*  
2025 goal: YoY increase in % of  
clinical trials achieving  
diversity targets

(\*) Increasing diversity is a global aspiration with local solutions.

See page 18 to see how we're having an impact with DE&I in our local markets.

# Working Toward *Gender Parity*

Our determination to achieve **gender parity** is stronger than ever: in 2022 women represented 49% of our overall workforce and 42% of senior management. We've transformed our development, recruitment, and succession planning practices to help us get closer to women representing 40% of our executives and 50% of our senior leadership by 2025.

We retooled every step in the **hiring process** to be more intentional. From inclusive job descriptions to mandated gender representation at final interview selection, we set and incentivized specific targets at executive level to promote gender balance and mobility.

*“Leveraging the diversity of our workforce gives us the edge we need to lead with innovation. We’re the #1 healthcare company for **gender equality** <sup>(2)</sup>, with a plan to ensure women and men are represented equally among our senior leaders by 2025.”*

Natalie Bickford,  
Chief People Officer

## – 2022 – **Gender Progress**



**37%**

of our **executive** leaders are women  
*29% in 2018*



**42%**

of our **senior** leaders are women  
*35.5% in 2018 when we launched our Gender Balance Ambition*



**49%**

of our **workforce** is women  
*46% in 2018*

(2) See [Equileap 2023 Report](#) (on 2022 data)

- Local challenges -

## 2025 goals: country highlights

**US**  
37% people of color representation

**UK**  
25% representation of people from an ethnic minority background at final interview stage for senior positions

**Brazil**  
20% of employees aged over 50  
30% of new hires being black/brown people

**All countries**  
Variable targets set to increase representation of people with a disability<sup>(8)</sup>

(8) Reflecting the initiation of our relationship with The Valuable 500



## Workforce *Diversity Ambition*

We have implemented workforce diversity ambitions to help ensure our workforce reflects the diversity of our communities and to equip our organization with diverse perspectives to chase the miracles of science *to improve people's lives*.

Our workforce diversity ambitions are:

- 50 percent representation of women in senior leadership roles by 2025.
- 12 percent Black, 10 percent Hispanic, and 14 percent Asian in the workforce.

	Where we are today	
	2022 CURRENT	2025 Ambition
Women (Senior Leadership)	41%	50%
Black	8%	12%
Hispanic	8%	10%
Asian (excluding R&D and Digital)	11%	14%



Criterion	Type	Weight	Target/Maximum (as % of fixed compensation)	Attainment level	Comments	Payout (as % of fixed compensation)
					Digital: <ul style="list-style-type: none"> <li>● Contribution to BOI above budget target due to value creation (quantitative)</li> <li>● Increase Health Care Provider engagement from digital: target met in all markets where digital solutions have been deployed</li> <li>● Completion of all major digital, data and technology foundations (harmonized enterprise governance / single source of truth)</li> <li>● Commercial deployments slightly ahead of schedule</li> </ul>	
People & Culture	Quantitative/ Qualitative	7.5%	11.25% / 18.75%	98.00%	<ul style="list-style-type: none"> <li>● Number of women recruited to positions at Level 5 and above - slightly below target (quantitative)</li> <li>● Strong progress in embedding Play to Win culture (engagement score increased) (quantitative)</li> <li>● Great progress in strengthening the succession pipeline for Key Value Driving Roles</li> <li>● New Employee Value Proposition built and launched in line with overall rebrand initiative in Q1</li> <li>● Acceleration of the processes' simplification (above the original goal)</li> </ul>	11.03%
					<ul style="list-style-type: none"> <li>● CO<sub>2</sub> emissions reduced by 3.8% above target (Scopes 1&amp;2) (quantitative)</li> </ul>	