



EEOC Ordered to Collect Pay Data from Employers by September 30

August 8, 2019

Employers must provide employee compensation data by sex, race, and ethnicity to the U.S. Equal Employment Opportunity Commission (EEOC) by September 30th 2019.

Background

The EEOC collects demographic data from employers annually in the EEO-1 Survey: made up of Component 1 and Component 2 data broken down by sex, race, and ethnicity. Component 1 data includes the number of employees in the employers workforce categorized by job title. Component 2 data addresses compensation and hours worked. Generally, only employers who have 100 or more employees are required to submit Component 2 data.

In 2017 the EEOC's collection of the Component 2 data (compensation and hours) was suspended in an attempt to alleviate administrative burdens on employers.

Reinstatement of the Collection of Component 2 Data

In two rulings in March and April, a U.S. District Court lifted the suspension and reinstated the requirement for employers to provide compensation and hours worked data (Component 2 of the EEO-1) to the EEOC and set the deadline for submission as September 30, 2019. The specific data required by Component 2 of the EEO-1 includes wages from box 1 of Form W-2 and total hours worked by employee broken down by sex, race, and ethnicity.

Additionally, the EEOC stated that employers will be required to provide **both** 2017 and 2018 Component 2 data by the September 30, 2019 deadline.

Employers should begin their preparation immediately to provide the 2017 and 2018 compensation and hours data to the EEOC by September 30, 2019. The EEOC website for submitting the EEO-1 data is <https://www.eeoc.gov/employers/eeo1survey/index.cfm>.

If you have questions or would like additional information, please contact:

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