

EMPLOYERS MUST SUBMIT PAY DATA IN EEO-1 REPORTS FOR 2017 AND 2018 - ADDITIONAL GUIDANCE FROM THE EEOC IS FORTHCOMING

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As a result of recent federal litigation, the Equal Employment Opportunity Commission (“EEOC”) has announced that employers must submit pay data in their annual EEO-1 reports to the agency for calendar years 2017 and 2018 by September 30, 2019. Although not currently active, the EEOC expects a web-based portal for the collection of the data to be open by mid-July 2019.

In addition to the portal, the EEOC intends to issue guidance, including FAQs and other materials, to assist employers in mid-July 2019. In the meantime, the Department of Justice has filed a Notice of Appeal to the federal litigation that lifted the EEOC’s stay on collecting such pay data. Likewise, the EEOC’s helpdesk is set to become operational this week and can be contacted as follows:

Email: EEOCcompdata@norc.org

Toll Free Telephone: (877) 324-6214

Although an appeal has been filed, the EEOC is proceeding with enforcement of the regulation, so employers should not wait on the outcome of the appeal to begin compliance efforts. If they have not already done so, employers should immediately begin reviewing their collection processes to ensure that they are prepared to report the required pay data by September 30, 2019.

BCLP has a team of knowledgeable lawyers and other professionals prepared to help employers review and comply with EEO-1 reporting obligations. If you or your organization would like more information or assistance in preparing EEO-1 reports, please contact an attorney in the Labor and Employment practice group or your regular BCLP contact.

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