

PAY DATA REPORTING ON EEO-1 FORMS APPEARS TO BE THE NEW REALITY

In March of this year, a federal judge in Washington, D.C. reinstated the controversial EEO-1 Component 2 pay data reporting requirements. The current reporting deadline is September 30, 2019.

THE EEO-1 PAY DATA REPORTING ROLLER COASTER

The EEO-1 is an annual report filed with the Equal Employment Opportunity Commission ("EEOC") that has historically collected workforce racial/ethnic and gender information from covered employers. As we reported [here](#), new pay data reporting rules were issued in 2017. Those rules were later suspended indefinitely by the federal Office of Management and Budget ("OMB"). To the chagrin of most employers, a federal district court judge lifted the suspension in March of this year. Although the Department of Justice has filed an appeal, the district court order was left in place during the appeal process. Therefore, the EEOC is moving forward with data collection.

EEOC PUBLISHES COMPONENT 2 REPORTING GUIDANCE

On July 1, 2019, the EEOC finally released their notice for Component 2 EEO-1 data collection. The online reporting portal was opened on July 15, 2019 and is available [here](#). The EEOC also published a detailed FAQ page that is available [here](#).

WHICH EMPLOYERS ARE REQUIRED TO REPORT?

Employers and federal contractors that had 100 or more employees during the 2017 workforce snapshot period must file Component 2 data for 2017. Employers and federal contractors that had 100 or more employees during the 2018 workforce snapshot period must file Component 2 data for 2018.

WHAT MUST BE REPORTED?

Component 2 will require employers to report combined W-2 compensation and hours worked in 12 pay bands for all employees reported in the Component 1 data fields. Employers required to complete Component 2 should begin preparing the report now in order to meet the September 30 deadline.

If you have any questions or would like additional information, please contact either [Kevin Stella](#) at (317) 977-1426 or kstella@hallrender.com, [Jon Bumgarner](#) at (317) 977-1474 or jbumgarner@hallrender.com or your regular Hall Render attorney.

More information about Hall Render's Labor & Employment services can be found [here](#).