

EEOC Will Begin Collecting Pay Data in July 2019

May 17, 2019

Categories:

Publications

Authors:

Jennifer A. Rulon

The Equal Employment Opportunity Commission ("EEOC") recently announced that employers who file the EEO-1 report must submit 2017 and 2018 EEO-1 pay data (otherwise known as "Component 2 data") by September 30, 2019. The filing window will open in mid-July 2019. This filing applies to private employers with at least 100 employees. The new EEO-1 form will require covered employers to report wage information and total hours worked for all employees by race, ethnicity and sex, as well as the number of employees falling within each of 12 pay bands for each job category.

In September 2016, the EEOC announced a plan to collect 2017 pay data and set a March 2018 deadline. On August 29, 2017, however, the Office of Management and Budget ("OMB") issued a stay of pay data collection. The National Women's Law Center and other parties subsequently filed a lawsuit challenging the OMB's stay in the U.S. District Court for the District of Columbia. The Court held the OMB's stay of pay data collection was "illegal" on March 4, 2019, and ordered the EEOC to collect the Component 2 data.

On May 3, 2019, the Department of Justice filed a Notice of Appeal of the Court's decision in the National Women's Law Center case. The EEOC's website currently notes the appeal does not stay the district court order or alter EEO-1 filers' obligations to submit pay data.

Dates you need to know:

- Component 1 EEO-1 data (gender and race information): Filing for 2018 data is currently open. Employers must complete their submissions by May 31, 2019.
- Component 2 EEO-1 data (pay information): Filing for 2017 and 2018 data is to open mid-July. Employers must complete their submissions by September 30, 2019.

© 2026 FBT Gibbons LLP. May be considered attorney advertising in some jurisdictions.

2026 FBT Gibbons LLP. All rights reserved. ADVERTISING MATERIAL.

FBT Gibbons