

EEOC Sets September 30 Deadline for Pay Data

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The Equal Employment Opportunity Commission has set a September 30 deadline for the submission of pay data in the wake of a federal court ruling reinstating the collection requirements.

Employers with at least 100 employees and certain federal contractors are required to file the EEO-1 survey by May 31, 2019. The current survey does not include collection of pay data.

By way of background, on September 26, 2016, the EEOC published a revised EEO-1 form that included pay data reporting requirements. In 2017, the Trump Administration suspended the implementation of the revised form. On March 19, 2019, a federal judge ordered the EEOC's pay data collection efforts back into effect and gave the EEOC until April 3 to inform employers of the deadline to submit pay data.

In compliance with the court's order, on April 3 the EEOC submitted information to the federal court, setting the September 30 deadline for employers to submit pay data for 2018. The court's ruling may be stayed if an appeal is filed, but employers would be well served to begin preparing for the deadline. Under the ruling, employers would be required to report data on total W-2 wages and hours worked for all employees in 2018.

Barley Snyder can assist employers with compliance with the new EEO-1 requirements, and we will keep you posted as further developments ensue. If you have any questions or need assistance with filing compliance, please [reach out to me](#) or anyone in our [Employment Practice Group](#).

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