

Employer Alert: EEO-1 Pay Data Collection on Hold

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On Tuesday, the Office of Management and Budget (OMB) issued a stay of the EEOC's collection of information on pay data on EEO-1 reports.

As previously reported, under the Obama administration, the EEOC announced approval of a revised EEO-1 report that would require employers with 100 or more workers to include pay data by gender, race and ethnicity on their forms. The new reporting obligation was to start with the 2017 data, to be reported in March of 2018. However, the OMB has now suspended indefinitely the new report's compliance date, calling some aspects of the recently expanded collection requirements "unnecessarily burdensome." The EEOC responded that it will review the OMB order and its options. It also cautioned that employers are still bound by their previous reporting obligations and that eliminating pay inequity remains "a high priority area for the commission to focus on." In the meantime, employers subject to the reporting requirement must file their EEO-1 Reports (for the relevant 2017 period) by March 31, 2018 on the old form. The information reported will not include pay data or hours worked.

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