

LAW & POLICY GROUP**GRIST**

US AGENCY PLANS TO END DIVERSITY PAY DATA REPORTING FOR EMPLOYERS

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Employers subject to the EEO-1 report can look forward to reduced data requirements in future years, after the Equal Employment Opportunity Commission (EEOC) [announced](#) plans to halt the controversial collection of extensive information about employee compensation and hours worked — [Component 2](#) of the EEO-1. However, employers still must meet the upcoming Sept. 30, 2019, deadline to file 2017 and 2018 data for Component 2. Component 1 data was due on May 31.

UNJUSTIFIED BURDEN

Under the Paperwork Reduction Act (PRA), federal agencies must obtain Office of Management and Budget (OMB) approval at least once every three years to continue any current information collection, such as the EEO-1 report. In a Sept. 12 [notice](#) requesting OMB approval to collect EEO-1 Component 1 data on workforce race and gender, the EEOC said it wouldn't renew the collection of Component 2 data on pay and hours worked. According to the EEOC, the burden on employers to gather this data is higher than originally estimated. Comments on the notice are due by Nov. 12.

EXPANDED EEO-1 DATA UNDER DISPUTE

Although employers are still subject to the Sept. 30, 2019, filing deadline for 2017 and 2018 Component 2 data, challenges against this data collection are ongoing. Intended to combat pay discrimination, the expanded reporting requirements issued by the Obama administration sparked employer opposition. The Trump administration agreed and blocked the new collection. After a lawsuit challenged that action, a court [ordered](#) resumption of the expanded data collection, pending final appeals. The group that successfully challenged suspension of the Obama administration rule has [expressed](#) opposition to this latest action.

RELATED RESOURCES

Non-Mercer Resources

- [Notice](#) (Federal Register, Sept. 12, 2019)
- [News Release](#) (EEOC, September 2019)
- [Component 2 EEO-1 Online Filing System](#) (EEOC, updated Sept. 12, 2019)

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- [US Employers Must Submit Extensive Pay Data by 30 September](#) (May 6, 2019)

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