

EEOC Presses Pause on Collection of EEO-1 Pay Data After This Year's September 30 Reporting Deadline (US)

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As we have previously reported [here](#), companies with at least 100 employees must collect and report 2017 and 2018 employee pay data information, broken down by race/ethnicity, sex, and job category ("Component 2 data") as part of their annual EEO-1 report. This Component 2 data remains due to be filed with the EEOC by September 30, 2019.

However, on September 12, 2019 the EEOC published in the [Federal Register](#) a formal notification to employers that it does not intend to renew its collection of the Component 2 data at this time. The EEOC specifically referenced its duty to "balance the utility of the data to its enforcement programs against the burden the data collection as structured imposes on the employers who must submit it." The EEOC went on to conclude that it will consider the information it obtains through this year's Component 2 data collection (which remains ongoing, as noted above, until September 30, 2019), before deciding whether to move forward with additional pay data collection in future years. The EEOC further clarified that it will continue collection of Component 1 data (employee data categorized by race/ethnicity, gender, and job category), which has "proven its utility to the EEOC's enforcement of employment discrimination laws" over the 50+ years the EEOC has collected such data.

Employers should ensure they meet the September 30, 2019 pay data reporting deadline, but need not continue pay data collection and reporting efforts in 2020 (at least at this time). We will continue to provide updates as to all EEO-1 reporting requirements as they develop.

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