



MARCH 17, 2019

Pay Data Not Required For 2018 EEO-1 Reporting Cycle According To The EEOC

The EEOC has confirmed that pay data will NOT be required for the 2018 Equal Employer Information Report (“EEO-1 Report”) due by May 31, 2019.

As we previously reported, the federal Office of Management and Budget’s stay of the pay data reporting requirement was lifted by the Hon. Tanya S. Chutkan of the United States District Court for the District of Columbia. For further information on the reinstatement of the pay data collection rule, see our prior alert: <https://putneylaw.com/client-news/eec-pay-data-collection-eeo-1-reports-reinstated>.

Judge Chutkan’s Order held that affected employers were on notice that the stay could be lifted at any time, and were aware of the pay data collection requirement for at least a year before the stay. Despite the immediate effect of the reinstatement of the pay data collection requirement, the EEOC is informing employers that the pay data information does not need to be included in the 2018 EEO-1 Reports. As in years past, at this time Employers will need only to provide information on employee race, ethnicity, and sex by job category.

Takeaway for Employers

Employers should file EEO-1 Reports which include their employees’ race, ethnicity, and sex by job category by May 31, 2019. Employers should begin to collect pay and hours worked data by race, ethnicity, and sex for the next reporting period. We encourage you to contact us for assistance in complying with your EEO-1 reporting requirements.

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If you have any questions regarding your EEO-1 reporting obligations, please do not hesitate to contact us.

[PUTNEY, TWOMBLY, HALL & HIRSON LLP](#)