

THE
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Court's Final Decision on EEO-1 Pay Data Requirement Imminent

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As a follow-up to our [April 4, 2019, article](#), we wanted to provide you with the latest update on the status of the pay data requirement for 2018-EEO-1 reports. On April 16, 2019, the U.S. District Court for the District of Columbia held a hearing on the Equal Employment Opportunity Commission's (EEOC) proposal to collect pay data by September 30, 2019, using a third-party contractor, and the plaintiff's response that the EEOC should be forced to collect 2017 and 2018 pay data by May 31, 2019.

Here are some of the highlights of the hearing:

- S. District Judge Tanya Chutkan said she did not understand why the EEOC decided to remove instructions for employers on submitting so-called Component 2 pay data for 2018 as part of their annual employer information, or EEO-1, reports.
- The EEOC cited the Paperwork Reduction Act as a reason why the EEOC deleted the documents.
- Judge Chutkan said that because the EEOC failed to address whether the Office of Management and Budget's (OMB) 2017 stay of Component 2 paused the expiration date on pay data collection (September 30, 2019), she will assume it did.
- Judge Chutkan said she would issue a ruling on the deadline as soon as she can.

Please note that to date, nothing has changed from the current filing requirement of Component 1 data by May 31, 2019.

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