WILMERHALE .

Paying It Forward: EEOC Extends Pay Data Reporting Deadline to September 30, 2019

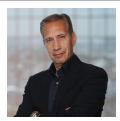
APRIL 5, 2019

As we alerted you last month, a federal judge reinstated the EEO-1 pay data reporting requirement that the Equal Employment Opportunity Commission (EEOC) had previously announced in September 2016. Recognizing that requiring such reporting by the May 31, 2019 EEO-1 filing deadline created "significant practical challenges," the EEOC filed a brief this week seeking additional time to address these challenges of collecting pay data. Pursuant to the EEOC's submission, employers would have until September 30, 2019 to gather and submit the "Component 2" data consisting of pay data broken down by race, gender and ethnicity.

Notably, the EEOC's proposed deadline extension still must be approved by the federal judge who reinstated the EEO-1 pay data reporting requirement. WilmerHale will continue to track developments in connection with this issue—including any updates on recent motions filed by employer advocacy organizations seeking to further delay the reporting requirement. In the meantime, we recommend that employers begin collecting all required pay data information in anticipation of future reporting, which information can largely be obtained from W-2s and reports that capture hours worked by employees.

For more information or assistance in reviewing or revising your current pay practices and reporting procedures, please contact a member of WilmerHale's Labor and Employment team.

Authors



Jonathan Rosenfeld

RETIRED PARTNER

jonathan.rosenfeld@wilmerhale.com

• +1 617 526 6000



Laura E. Schneider

PARTNER

Chair, Labor and Employment Practice

Iaura.schneider@wilmerhale.com

• +1 617 526 6846



Andrew Stauber

SPECIAL COUNSEL

andrew.stauber@wilmerhale.com

• +1 617 526 6815

Wilmer Cutler Pickering Hale and Dorr LLP is a Delaware limited liability partnership. WilmerHale principal law offices: 60 State Street, Boston, Massachusetts 02109, +1 617 526 6000; 2100 Pennsylvania Avenue, NW, Washington, DC 20037, +1 202 663 6000. Our United Kingdom office is operated under a separate Delaware limited liability partnership of solicitors and registered foreign lawyers authorized and regulated by the Solicitors: Regulation Authority (SRA No. 287488). Our professional rules can be found at www.sra.org.uk/solicitor/code-of-conduct.page. A list of partners and their professional qualifications is available for inspection at our UK office. In Beijing, we are registered to operate as a Foreign Law Firm Representative Office. This material is for general informational purposes only and does not represent our advice as to any particular set of facts; nor does it represent any undertaking to keep recipients advised of all legal developments. Prior results do not guarantee a similar outcome. © 2004-2024 Wilmer Cutler Pickering Hale and Dorr LLP