

## **UPDATE: EEOC Will Not Collect Pay Data for 2019, 2020 or 2021**

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As we reported in previous alerts (April 26, 2019 and May 9, 2019), all employers with 100 or more employees must submit employee pay data for 2017 and 2018 to the U.S. Equal Employment Opportunity Commission (EEOC) on an updated Employer Information Report Form (EEO-1) by September 30, 2019. However, this may end up being a one-time requirement. On September 12, 2019, the EEOC announced that it will not be requiring EEO-1 filers to submit pay data for 2019, 2020 or 2021 as it reconsiders its pay data collection rule, which requires employers with 100 or more employees to submit employee pay data on the new EEO-1 on an annual basis.

The decision has no effect on the EEOC's collection of 2017 and 2018 pay data. Covered employers therefore are still required to submit their 2017 and 2018 pay data to the EEOC by September 30, 2019. (Our alert on the issuance of the initial rule can be found [here](#).) The EEOC plans to use this data to evaluate whether to collect pay data after 2021. The EEOC will be accepting public comments on its pay data collection rule up through November 12, 2019. We will continue to update clients on any further developments.

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