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EMPLOYERS HAVE UNTIL SEPTEMBER 30, 2019 TO SUBMIT PAY DATA TO THE EEOC

Apr 25, 2019

Update to our [April 11](#) article:

Earlier today, Judge Tanya S. Chutkan of the U.S. District Court for the District of Columbia ordered employers to submit worker pay data to the Equal Employment Opportunity Commission (“EEOC”) by September 30, 2019. In so ruling, the Court rejected arguments from worker advocate groups who had sought to require the collection of pay data by May 31, 2019.

Pursuant to the Court’s Order, employers must submit two years’ worth of pay data to the EEOC. While data for 2018 must be included in an employer’s September 30th submission, the EEOC is free to choose whether the second year of data will come from 2017 or 2019. If the EEOC elects to collect data from 2017, employers will be required to submit the 2017 pay data by September 30, 2019 as well. If the agency elects to collect data from 2019, employers will be required to submit the 2019 pay data in the spring of 2020. The EEOC has until May 3, 2019 to decide whether it will collect 2017 pay data or 2019 pay data.

If not already done, employers should immediately begin reviewing their collection processes to ensure that they are prepared to report the required pay data by September 30, 2019.

Bryan Cave Leighton Paisner LLP has a team of knowledgeable lawyers and other professionals prepared to help employers review and comply with EEO-1 reporting obligations. If you or your organization would like more information or assistance in preparing EEO-1 reports, please contact an attorney in the Employment and Labor practice group or your Bryan Cave Leighton Paisner LLP contact.

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