

Covered Employers Should Remain Aware Of Reporting Deadlines For The 2018 EEO-1 Survey

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05.02.2019

Certain employers are required to submit the EEO-1 Survey to the U.S. Equal Employment Opportunity Commission. The EEO-1 Survey contains information relating to the gender, ethnicity and race of employees. A new requirement to the survey will require covered employers to submit not only the gender, race and ethnicity of employees, but pay-related information for those individuals. This pay-related data requirement is currently being litigated in a federal court lawsuit.

A federal judge ruled this week that the proposed pay-related data requirement will go forward. Based on that ruling, covered employers must submit pay-related data on the 2018 EEO-1 Survey no later than September 30, 2019.

This issue continues to develop and could be further challenged, both in litigation and by way of executive action. For now, however, employers who are required to submit the 2018 EEO-1 Survey must comply with the pay-related data requirement. Those employers should submit Component 1 of the 2018 EEO-1 Survey by May 31, 2019 (Component 1 does not require the submission of pay-related data).

In addition, covered employers should be prepared to submit Component 2 of the 2018 EEO-1 Survey (which includes pay-related data) by September 30, 2019. Laner Muchin will continue to monitor this issue and provide client alerts as warranted.

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