

## UGH!! Now They Want Wage Info On The EEO-1?!?

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On Jan. 29, the White House announced that the Equal Employment Opportunity Commission (EEOC) will issue proposed regulations to modify the Employer Information Report, known as the EEO-1, to include collecting pay data from employers with more than 100 employees. The EEOC says it needs this pay data to “assist . . . in identifying possible pay discrimination and assist employers in promoting equal pay in their workplaces.” Currently, the EEO-1 gathers information on employers’ workforces by race, ethnicity, sex, and job category. The current proposal would amend the EEO-1 to also gather pay ranges and hours worked. The EEOC’s [question and answer sheet](#) provides the following example: an employer might state that it has 10 African-American men who are Craft Workers in the second pay band (\$19,240 to \$24,439) who worked a total of 10,000 hours. The EEOC published the proposed regulation in the Federal Register on Feb. 1. The public will have until April 1 to submit comments to the EEOC. The EEOC anticipates implementing the regulations in time for the Sept. 30, 2017, EEO-1 filing deadline. While the proposed regulations are not law, they signal an increase in the EEOC’s interest in prosecuting Equal Pay Act claims. As a result, employers are well advised to review their pay practices before an EEOC investigator shows up at their door.

### RELATED PRACTICE AREAS

EEO Compliance  
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EEOC  
Employer Information Report  
Equal Pay Act  
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