

Legal Update

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*****For Private Groups 100+ or Federal Contractors 50+**

EEOC Releases Data Dashboard for 2017 and 2018 Pay Data Collec

On March 12, 2024, the U.S. Equal Employment Opportunity Commission (EEOC) made available aggregated data it received from employers and certain federal contractors regarding employee pay band by race, sex, ethnicity and job group during 2017 and 2018. This information is now available on a new interactive data dashboard called "[EEOC Explore](#)" that aims to promote pay equality by allowing industries, employers and individuals to assess how their pay by sex and race compares to others in their industry, job category or state.

Disparities Revealed

The data available on the new dashboard shows that women were typically paid less than men in the aggregate and that Black women and American Indian or Alaska Native women were paid the least. In addition, Black and Hispanic employees were generally in lower median pay bands than white employees in the same industries and job categories.

Background

Under Title VII of the Civil Rights Act, certain employers and other entities are required to report workforce demographic information to the EEOC. The agency has collected this information (also known as "Component 1") through the EEO-1 form every year. In general, the requirement to submit a completed EEO-1 form applies to:

- **Private employers with 100 or more employees** (with limited exceptions for schools and other organizations);
- Private employers with between 15 and 99 employees, if part of a group of employers legally constitutes a single enterprise, which employs a total of 100 or more employees; and
- **Federal contractors** that are either prime contractors or first-tier subcontractors and have **50 or more employees** and a contract, subcontract or purchase order amounting to **\$50,000 or more**.

In 2016, the EEOC added a pay data collection, known as "Component 2," to the EEO-1 form. Between July 2019 and February 2020, employers subject to the EEO-1 requirement submitted 2017 and 2018 pay data through the EEO-1 Component 2. Component 2 data collection was thereafter discontinued due to challenges in federal court.

Future Component 2 Pay Data Reporting

Along with the aggregated information, the EEOC also released answers to frequently asked questions, in which the agency suggests it may revive Component 2 pay data reporting in the future. Any new pay data collection would be preceded by additional and formal opportunities for public input and would also be informed and guided by that public input.



IMPORTANT INFORMATION

- The EEOC has made pay band data from 2017 and 2018 available on a new dashboard.
- The data reveals that pay disparities based on sex and race persist in almost every industry at the national level and in nearly every state.
- The EEOC also issued guidance resources suggesting that employers may be required to submit Component 2 pay data again in the future.

Provided by Evolution of Benefits

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