



Independent Analysis of EEO-1 Component 2 Pay Data

On July 16, 2020, the U.S. Equal Employment Opportunity Commission (EEOC) announced that it is funding an in-depth statistical analysis on the EEO-1 Component 2 pay data collected for FY 2017 and 2018. In the past, covered employers were required to provide data broken down by job category, sex, race, and ethnicity. Component 2 required covered employers to provide pay data and number of hours worked.

The utility and quality of the data that has been collected is now the subject of an independent analysis being conducted by the National Academies of Sciences, Engineering, and Medicine's Committee on National Statistics (CNSTAT). CNSTAT's analysis is intended to aid the EEOC regarding existing and future pay data collection. The analysis began on July 1, 2020, and is expected to conclude by the end of 2021.

The timing creates a window of opportunity for employers to conduct their own audits of payroll practices based on sex, race, and ethnicity. Best practice remains for employers to review their pay practices, HRIS, and payroll systems to determine if any impermissible pay discrepancies exist and to ensure that pay practices comply with federal and state laws.

For assistance with correcting pay discrepancy issues or questions regarding compliance, please contact Katherine Brustowicz, David Gabor, or Virginia Peabody of the Wagner Law Group's Employment Law practice.

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