

## HIGHLIGHTS

- The new EEO-1 will require some employers to submit summary pay and hours of work information.
- Employers are prohibited from reporting individual information, such as pay or salaries.
- The information will be used to enforce prohibitions against employment discrimination.

## IMPORTANT DATES

### September 29, 2016

The EEOC announced new reporting requirements.

### March 31, 2018

Deadline for employers to submit the new EEO-1 form for 2017.

# New EEO-1 Reporting Requirements

## OVERVIEW

On Sept. 29, 2016, the Equal Employment Opportunity Commission (EEOC) [announced](#) the approval of an [updated Form EEO-1](#). The new EEO-1 form adds new fields to the form that is currently in use and will require certain employers to report summary pay information to the EEOC.

The EEOC and the Office of Federal Contract Compliance Programs (OFCCP) will use this information to enforce prohibitions against employment discrimination and address discriminatory pay practices.

Employers must comply with reporting requirements when they submit information for the 2017 calendar year. The new reports will be due by **March 31, 2018**.

## ACTION STEPS

- ✓ Employers should become familiar with the new reporting requirements.
- ✓ Employers should conduct self-audits and determine whether any wage gaps can be justified by legitimate business factors.
- ✓ Employers should meet with their payroll vendors and determine how to implement new reporting requirements.

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## New EEO-1 Reporting Requirements

The EEO-1 report is a compliance survey required by the federal government. The report requires employers to submit employment data that is categorized by race/ethnicity, gender and job category. The EEOC and the OFCCP use the information contained in these reports to enforce federal prohibitions against employment discrimination.

On Sept. 29, 2016, the EEOC announced that it would begin requiring certain employers to add summary information about their employee wages and hours of work to the EEO-1 report. A sample version of the updated form can be found [here](#).

Specifically, the new EEO-1 will require employers to include:

- ✓ **Summary pay data**—The total number of full- and part-time employees they had during the year in each of the 12 pay bands listed for each EEO-1 job category; and
- ✓ **Aggregate hours worked data**—A complete tally of the number of hours worked by all employees accounted for in each pay band.

The new EEO-1 explicitly prohibits employers from reporting individual pay or salaries.

## Affected Employers

An employer's obligation to submit the new EEO-1 depends on the employer's workforce size and on whether it is a private employer or a federal contractor (or subcontractor).

	100 or more employees	Between 50-99 employees	49 or fewer employees
Private employers	Must file new EEO-1	Not subject to new reporting requirements	Not subject to new reporting requirements
Federal contractors and subcontractors	Must file new EEO-1	Must file new EEO-1	Not subject to new reporting requirements

EEO-1 Job Categories	
<ul style="list-style-type: none"> <li>• Executive- and senior-level officials and managers;</li> <li>• First- and mid-level officials and managers;</li> <li>• Professionals;</li> <li>• Technicians;</li> <li>• Sales workers;</li> </ul>	<ul style="list-style-type: none"> <li>• Administrative support workers;</li> <li>• Craft workers;</li> <li>• Operatives;</li> <li>• Laborers and helpers; and</li> <li>• Service workers.</li> </ul>

EEO-1 Pay Bands	
<ul style="list-style-type: none"> <li>• \$19,239 and under;</li> <li>• \$19,240 - \$24,439;</li> <li>• \$24,440 - \$30,679;</li> <li>• \$30,680 - \$38,999;</li> <li>• \$39,000 - \$49,919;</li> <li>• \$49,920 - \$62,919;</li> </ul>	<ul style="list-style-type: none"> <li>• \$62,920 - \$80,079;</li> <li>• \$80,080 - \$101,919;</li> <li>• \$101,920 - \$128,959;</li> <li>• \$128,960 - \$163,799;</li> <li>• \$163,800 - \$207,999; and</li> <li>• \$208,000 and over.</li> </ul>

## Compliance Date

The new reporting requirements apply to the report that transmits information to the EEOC for the 2017 calendar year. This report is due by **March 31, 2018**.

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