

April 21, 2020

Chair Janet Dhillon
Equal Employment Opportunity Commission
131 M Street NE
Washington, DC 20507

Submitted electronically via: <http://www.regulations.gov>

Re: EEOC-2020-0002; Notice of Information Collection - Request for New Control Number and Approval of Collection: Employer Information Report (EEO-1) Component 1; Revision of Existing Approval for EEO-1 Component 2

Dear Chair Dhillon:

The Association of Women in Rheumatology (AWIR) is dedicated to promoting the science and practice of Rheumatology, fostering the advancement and education of women in Rheumatology, and advocating access to the highest quality health care, and management of patients with Rheumatic diseases. Our organization appreciates the opportunity to provide comment on the Equal Employment Opportunity Commission (EEOC) 's Notice of Information Collection.

AWIR is deeply concerned with the EEOC's decision to not submit a request to the Office of Management and Budget (OMB) for an extension of Component 2 of the Employer Information Report (EEO-1). As a women's organization, AWIR opposes any attempts to abandon Component 2 — as we view Component 2 as an important equal pay initiative.

Currently, Component 2 is the only mechanism in which to collect meaningful wage information from employers to allow agencies to evaluate pay disparities based upon gender and race by job category.

The EEOC's inaction to request an extension undermines the importance of addressing pay inequity in the U.S. workforce and impedes any progress that has been made to tackle gender and race pay inequalities in the U.S. over numerous decades. **One of AWIR's priorities as an organization is advocating for workplace equality in the field of rheumatology. AWIR contends that pay discrimination will continue to thrive and go unchallenged by weakening employer pay reporting requirements.** Component 1 collects only limited data from certain employers on gender, race, and job categories and does not provide for pay data collection. As such, Component 1 methodology is inadequate for addressing pay gaps. Limited data gathering makes it impossible to identify pay disparities in individual workplaces, across industries, nor does it help identify geographical gaps.

AWIR holds that Component 2 is a necessary and effective tool for identifying and addressing the persistent gender and race/ethnicity pay gaps, and that the decision not to continue the Component 2 data collection undermines the EEOC's ability to combat pay discrimination.

AWIR's disappointment with EEOC's decision is further exasperated by the fact that the mandated collection of 2017 and 2018 data will come to a halt after many employers have already complied with providing wage information. As a result, any data collected for those years through Component 2 will be fruitless for use in comparative analyses done on pay gaps.

The EEOC has asserted that its intention not to seek approval of the Component 2 and complete data collection for 2017 and 2018 is due to stakeholder input. Proponents of abolishing Component 2 proposit that uncertainty surrounding the utility of the data outweigh the burden collecting the data imposes on employers. AWIR questions whether the EEOC's burden calculations adequately account for how, in the long term, automation and technology may decrease employer burden. Rather, the EEOC should have continued the Component 2 collection and assessed its burden only after the 2017 and 2018 collections had concluded, thereby allowing the EEOC to take into consideration the full experience of employers who filed Component 2 data for 2017 and 2018 and assess the value of the data in making improvements to workplace inequalities.

Furthermore, as a critical tool for the EEOC's effective and efficient enforcement of equal pay laws, AWIR believes Component 2 would incentivize employers to voluntarily comply with anti-discrimination laws and would provide them with useful data to do their self-assessments internally.

Thousands of comments expressing support for the continuation of Component 2 have been submitted to the EEOC by members of Congress, women's organizations, employee advocacy groups in several segments of the U.S. workforce, academics, and concerned individuals. Moreover, it is widely recognized that gender and race pay gaps impact workers, their families, businesses, and the economy.

Undoubtedly, secrecy around pay frequently prevents gender and race discrimination from being discovered. AWIR holds that failure to move forward on a pay data collection would be an attack on equal pay and strongly urges the EEOC reconsider its decision to eliminate Component 2 of the EEO-1 and complete the data collection already underway for 2017 and 2018.

We appreciate your consideration of our viewpoints. Should you have any questions, please direct them to our Government Affairs Specialist, at Heather.Kazmark@naylor.com.

Sincerely,

A handwritten signature in black ink that reads "Grace C. Wright". The signature is written in a cursive, flowing style.

Grace C. Wright, MD
President
Association of Women in Rheumatology