



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Washington, D.C. 20507**

Commissioner  
Janet Dhillon

July 28, 2022

**STATEMENT OF EEOC COMMISSIONER JANET DHILLON**

I am gratified that the National Academies of Sciences recognized the serious flaws in the design of EEOC's pay data collection – including the wrong unit of pay measurement, outdated job categories that were insufficient for describing the modern workforce and pay bands that were so overly broad that it made it very difficult to detect pay disparity. The Report also identified important data reliability and quality issues. Unfortunately, this defective, Court-ordered data collection came at a tremendous cost; EEOC calculated the burden to employers at over \$750 million dollars.

The EEOC cannot repeat the mistakes of the past. If the EEOC wants to engage in future pay data collections, it must engage in a notice-and-comment rulemaking to allow all stakeholders to weigh in, and to address the flaws described in this Report. The EEOC should also abide by the recommendations of the National Academies of Sciences and engage in robust field testing (the need for field testing was discussed over 20 times in the Report) before conducting any additional pay data collections.