

Pay Discrimination Tool Could Burden Employers, OFCCP

News

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Cheryl Behymer, a partner in the Columbia office, was quoted in the September 16 *Law360* article "Pay Discrimination Tool Could Burden Employers, OFCCP." The Office of Federal Contract Compliance Programs (OFCCP) is seeking public input on a proposed data collection tool to help fight pay discrimination in federal contractors. The proposal has raised concerns not only about the potential burden it places on employers, but the challenge to the agency of processing and analyzing the large amount of data. Cheryl noted that the agency would either have to get more resources from Congress or have to divert existing resources to tackle the project. "I don't see how they can do it, when they purport to have their resources stretched as far as they are already." A part of the proposal that raised eyebrows was the provision that would allow the OFCCP to use the information collected through the tool to "identify opportunities for nationwide multi-establishment compensation reviews." Cheryl said, "They are trying to come up with industry wide-trends and practices, and looking at expanding their queries beyond one location to a nationwide basis. That's really huge."

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