

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL WOMEN’S LAW CENTER, *et al.*,

Plaintiff,

v.

OFFICE OF MANAGEMENT AND BUDGET, *et al.*,

Defendants.

Civil Case No. 1:17-cv-02458 (TSC)

DECLARATION OF CANDEE CHAMBERS IN SUPPORT OF *AMICI CURIAE* BRIEF

In support of Movants DirectEmployers Association, Inc. (“DE”) and the American Society of Employers’ (“ASE”) *Amici Curiae* Brief, I, Candee J. Chambers, do declare as follows:

1. I am the Executive Director of DE, a position I have held since 2017. I have been with DE since 2013, and previously served as DE’s Vice-President of Compliance and Partnerships, where I oversaw the creation of strategic partnerships with a multitude of organizations, and managed the relationship with the National Association of State Workforce Agencies. In addition to my current daily responsibilities as Executive Director, I regularly provide guidance to DE’s employer members related to Affirmative Action regulations, Affirmative Action Plan development, outreach responsibilities to organizations related to

diversity in employee selection and retention. I also serve as Chair of the Indiana Industry Liaison Group.

2. I hold a Senior Professional in Human Resources certification ("SPHR"), and a certification as a Senior Certified Professional ("SHRM-SCP") from the Society for Human Resource Management ("SHRM"). I am also a Senior Certified Affirmative Action Professional ("SR. CAAP").

3. I have personal knowledge of the following facts in this declaration; except as to those matters stated on information and belief, and as to those matters I believe them to be true. If called upon as a witness, I could and would testify competently thereto. I am making this declaration in support of the Amicus Brief being filed by DE and ASE.

4. On March 18, 2019, as Executive Director of DE, I became aware of Plaintiffs' request for a Status Conference in determining the U.S. Equal Employment Opportunity Commission's ("EEOC") compliance with the court order vacating the stay in reporting of employee compensation data ("Component 2" data) on regulatorily required EEO-1 Surveys in the matter of *National Women's Law Center, et al. v. Office of Management and Budget, et al.*, U.S. District Court for the District of Columbia, Case No. 1:17-cv-02458 (TSC). As DE is an employer member-owned and managed non-profit corporation that maintains partner outreach efforts on behalf of its employer members with diversity, disability, veteran, female, and other minority organizations, efforts related to collection of employee compensation data by the EEOC from employers is an issue of significance to DE and its employer members.

5. On March 20, 2019, I received notice via an article in Bloomberg Law of this Court's decision during a March 19, 2019 status conference that federal agencies had until April 3, 2019 to advise the court whether employers would have to turn worker pay data over to the government by the May 31, 2019 deadline for submission of the 2019 EEO-1 Report.

[https://www.bloomberglaw.com/exp/eyJjdHh0IjoiRExOVyIsImklIjoiMDAwMDAxNjktOTZiO
S1kOGY3LWFiN2QtZGVmZjAwOGEwMDAyIiwic2lnIjoiaENTSHVSR0Nxb25hOUUpDOUxC
Nm1zTW9GSHpZPSIsInRpbWUiOiIxNTUzMDgwMTc0IiwidXVpZCI6ImFNSW5saWc4RFdn
bVBvZmsyT2xQNWc9PTRHRG84WTEyZW5laTZzNmNCV1JnSUE9PSIsInYiOiIxIn0=?user
type=External&bwid=00000169-96b9-d8f7-ab7d-
deff008a0002&qid=6281647&cti=LFSM&uc=1320029013&et=FIRST_MOVE&emc=bdlmw_bf
:6&bna_news_filter=true.](https://www.bloomberglaw.com/exp/eyJjdHh0IjoiRExOVyIsImklIjoiMDAwMDAxNjktOTZiO
S1kOGY3LWFiN2QtZGVmZjAwOGEwMDAyIiwic2lnIjoiaENTSHVSR0Nxb25hOUUpDOUxC
Nm1zTW9GSHpZPSIsInRpbWUiOiIxNTUzMDgwMTc0IiwidXVpZCI6ImFNSW5saWc4RFdn
bVBvZmsyT2xQNWc9PTRHRG84WTEyZW5laTZzNmNCV1JnSUE9PSIsInYiOiIxIn0=?user
type=External&bwid=00000169-96b9-d8f7-ab7d-
deff008a0002&qid=6281647&cti=LFSM&uc=1320029013&et=FIRST_MOVE&emc=bdlmw_bf
:6&bna_news_filter=true.)

6. The BNA article reported that this Court would set a deadline by which the EEOC would have to begin collecting Component 2 data as part of the EEO-1 Survey.

7. Based on this information, on March 20, 2019 DE began to prepare a survey for its employer members regarding the ability of its members to provide Component 2 pay data as part of the 2018 EEO-1 Survey due by May 31, 2019 to provide this Court relevant information related to the setting of any deadline for the due date for collection of Component 2 pay data.

8. DE provided its over 920 employer members the survey on Thursday, March 21, 2019, with responses due by 3:00 p.m. on Monday, March 25th. In that time, DE received 178 responses from its employer members to the survey, though some only answered questions relevant to them. Because our Surveys of Members are always confidential to allow for candid reporting, we do not know exactly which Members responded to our pay data reporting Survey. However, our 923 Members heavily populate the Fortune 1000 List and include many major companies including Amazon, Boeing, Google, LinkedIn, Facebook, Northrup-Grumman, Cisco Systems, John Deere, CVS, International Paper Company, KPMG, Lockheed Martin, FedEx, Eli Lilly, American Electric Power, and Cardinal Health Systems, among others.

9. Attached as **Exhibit "A"** to this declaration is a true and correct copy of the results of the survey DE provided to its employer members, and a summary of the responses

Members provided as to the ability of employers to provide Component 2 pay data on the 2019 EEO-1 Survey due by May 31, 2019, or by the end of the federal Fiscal Year (September 30, 2019) or by the next EEO Survey reporting Survey window in the Spring of 2020, and some of the reasons why any deadline would not be feasible.

I declare under the penalty of perjury that the foregoing is true and correct.

Respectfully Submitted,

Dated: March 30, 2019

A handwritten signature in cursive script, reading "Candee J. Chambers", written over a horizontal line.

Candee J. Chambers
DECLARANT