

## Employer EEO-1 Reports Due to the EEOC by July 19, 2021

On April 26, 2021, the U.S. Equal Employment Opportunity Commission (EEOC) announced the opening of the 2019 and 2020 EEO-1 Component 1 Data Collection (EEO-1). EEO-1 reports are mandated by Title VII of the Civil Rights Act. If you are an employer who is required to file an EEO-1 report for 2019 or 2020, your report must be filed with the EEOC no later than July 19, 2021. Usually, the EEO-1 report is due by March 31 of every year. However, the EEOC delayed the March 31, 2020 filing in light of the COVID-19 pandemic. Therefore, both the 2019 and 2020 EEO-1 reports are due July 19, 2021.

### **What is an EEO-1 report, and what employers are covered?**

All private employers with at least 100 employees are required to file an EEO-1 report annually with the EEOC. All federal government contractors with 50 or more employees and at least \$50,000 in contracts are also required to file an EEO-1 report annually with the EEOC. Compliance with the EEO-1 report is made mandatory pursuant to 42 U.S.C. § 2000e-8(c), 29 CFR 1602.7-.14, and 41 CFR 60-1.7(a). The report requires the employer to submit demographic workforce data, including race/ethnicity and gender, by job category.

### **How are employees counted for the data collection?**

To determine whether an employer has the requisite number of employees mandating the filing of an EEO-1 report, the employer collects data from a “workforce snapshot period.” The workforce snapshot period is any pay period from October through December. Accordingly, when evaluating employee data to determine whether an employer is covered, only employees on payroll during the workforce snapshot period are counted. For example, for the 2019 EEO-1 report, the employer will review employees on payroll during the October to December 2019 workforce snapshot period. The employer will do the same for the October to December 2020 workforce snapshot period for the 2020 EEO-1 report.

Information for employers, whether filing for the first time or not, can find forms, resources, and tools at: <https://www.eeoc.gov/newsroom/eeoc-announces-opening-2019-and-2020-eeo-1-component-1-data-collection>.

**Comment:** EEO-1 reports can be filed online. Employers should begin reviewing and collecting the data for their snapshot workforce periods for 2019 and 2020 to determine if they are required to file one or more EEO-1 reports by the July 19 deadline.