



EEO-1 Reporting Deadline Moved Once Again – This Time to Fall

Insights

7.10.23

Late last week, the EEOC quietly changed the timeline for opening this year's EEO-1 Reporting portal to sometime in "Fall 2023." For several months, the EEOC's landing page had indicated that the EEO-1 portal would be opened in mid-July. You now have a few more months to prepare for the filing as the agency completes its mandatory, three-year renewal of the EEO-1 data collection by the Office of Management and Budget. What do you need to know about this development?

What is an EEO-1 Report?

For those unfamiliar, the EEO-1 report is a mandatory compliance report that reports a company's workforce demographics in an aggregated fashion. The report captures the number of employees by gender, and by specific race/ethnicity categories and in specific job categories. Private employers with 100 or more employees and federal contractors with 50 or more employees must file these reports that summarize their employee headcount.

Your Road to Compliance

Employers are tasked with gathering the relevant information needed to complete the EEO-1 Report. To do this, you need to provide your workforce with the opportunity to voluntarily self-identify their gender and race/ethnicity. For employees who decline to self-identify, prior guidance from the agency advises you to conduct visual identification of the race/ethnicity of your employees or to review other reliable employment document (not I-9s!).

To prepare for the reporting, you should review prior EEO-1 report filings and guidance to determine the information you'll need to gather to prepare the report once the portal opens. Typically, the portal has been open for four to six weeks before the deadline for compliance. If the same holds true this year, you will not have a significant amount of time to put together this information once the portal opens.

Conclusion

Fisher Phillips will continue to monitor any further developments in this area as they occur, so you should ensure you are subscribed to [Fisher Phillips' Insight System](#) to gather the most up-to-date information. If you have any questions about how this development impacts your organization, please

consult your Fisher Phillips attorney, the author of this Insight, or a member of Fisher Phillips' [Affirmative Action and Federal Contract Compliance Practice Group](#).

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