



EEO-1 Reports Delayed Until May 31

Insights

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Employers received a bit of good news today as the federal government announced the deadline for submitting their EEO-1 reports has been extended until May 31. Although originally due in just a few short weeks—on March 31—the Equal Employment Opportunity Commission (EEOC) announced the extension today in a [brief news release](#), providing a measure of breathing room for employers across the country.

The delay was caused by the recently resolved partial lapse in federal appropriations, which, of course, led to the [longest government shutdown](#) in our nation's history. As EEOC resources were stretched thin and the agency was all but paralyzed for over a month, it became obvious that there would be some sort of extension of time for the reporting of compensation information through the Employer Information Reports (EEO-1 Reports). Thus, it comes as little surprise that employers were treated to a two-month reprieve on this important task.

Historically, employers with 100 or more employees, and federal contractors with 50 or more employees, have been required to submit EEO-1 Reports disclosing the number of employees in their employ by job category, sex, and ethnicity/race on an annual basis. If you fall in this camp, you should prepare to develop such information and present it as usual—you just have an additional few months to complete the form this time.

What's Next?

It would not come as a surprise if there is a further delay in the reporting deadline in the near future. After all, last year the agency extended the deadline from March 31 to June 1 after a groundswell of requests from the employer community. Similar concerns might still exist, and we may also see round two of the government shutdown if Congress cannot develop a compromise funding solution that meets with the president's approval by February 15.

But, for now, employers should proceed with the assumption that the new May 31 deadline will stand. The EEOC's announcement also informed employers that the electronic portal used to submit the information will open in early March 2019. Details and instructions for the 2018 EEO-1 Reports, including the exact date of the survey opening, will be forthcoming from the agency in the coming weeks.

We will continue to monitor further developments and provide updates when the portal opens and/or

a further extension is announced, so you should ensure you are subscribed to [Fisher Phillips alert system](#) to gather the most up-to-date information. If you have questions, please contact your Fisher Phillips attorney or any attorney in our [Affirmative Action and Federal Contract Compliance Practice Group](#).

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