LEGAL UPDATE

MST
INSURANCE SOLUTIONS

April 30, 2024

The first day employers subject to EEO-1 reporting requirements may begin entering data from 2023.

March 19, 2024

The date on which the EEOC anticipates posting the 2023 EEO-1 Component 1 Instruction Booklet and the 2023 Data File Upload Specifications.

June 4, 2024

The last day for employers subject to EEO-1 reporting to submit 2023 workforce data.

EEOC Announces EEO-1 Portal for 2023 Workforce Data Will Open April 30

On Feb. 26, 2024, the U.S. Equal Employment Opportunity Commission (EEOC) announced that the portal for private sector employers to submit equal employment opportunity workforce data (EEO-1 Reports) from 2023 will open on **April 30, 2024**, and that the deadline to file is **June 4, 2024**.

Under Title VII of the Civil Rights Act (Title VII), certain employers must usually submit an EEO-1 Report by March 31 each year. This data collection has been delayed in the past several years due to COVID-19 and various other factors.

EEO-1 Reporting Background

The EEO-1 Report is a federally mandated survey that requires certain employers to submit workforce data categorized by race or ethnicity, gender and job categories. The EEOC uses the collected data for several purposes, including enforcing Title VII's prohibitions against employment discrimination and researching employment patterns.

Employers Subject to EEO-1 Reporting

The following entities are subject to EEO-1 reporting:

- **Private employers** that have **100 or more employees** (with limited exceptions for schools and other organizations);
- **Private employers** with **between 15 and 99 employees**, if they are part of a group of employers that legally constitutes a single enterprise that employs a total of 100 or more employees; and
- **Federal contractors** that have **50 or more employees**; are either prime contractors or first-tier subcontractors; and have a contract, subcontract or purchase order amounting to **$50,000** or more**.**

Employers filing EEO-1 Reports for the first time must register to log in and receive a password and further instructions for filing from the EEOC. Although the EEOC sends notification letters to employers it knows to be subject to EEO-1 requirements, all covered employers are responsible for obtaining and submitting the necessary information prior to the appropriate deadline.

An employer that fails or refuses to file an EEO-1 Report as required may be compelled to do so by a federal District Court.

Employer Action Items

Employers subject to EEO-1 reporting requirements should begin gathering 2023 EEO-1 data and making plans to ensure they will be ready to complete their reports by June 4, 2024. Covered employers should also review and monitor the EEOC home page and website dedicated to EEO data collection for additional information.