

LEGAL UPDATE



Upcoming EEO-1 Reporting Deadlines

Under Title VII of the Civil Rights Act (Title VII), employers with 100 or more employees and certain federal contractors must submit a report about their workforces to the Equal Employment Opportunity Commission (EEOC) by **March 31** every year. This report, known as the EEO-1 report, is a federally mandated survey that collects workforce data categorized by race, ethnicity, sex and job category.

However, the collection of this data from 2022 was delayed, and [the portal for submitting EEO-1 reports](#) was not even opened before the usual deadline in 2023. Instead, the EEOC announced that it would open the portal for submissions of 2022 EEO-1 information on **Oct. 31, 2023**.

The EEOC also set the deadline for employers to complete their 2022 EEO-1 Reports. These submissions **must be completed by Dec. 5, 2023**.

Covered Entities

The following entities are subject to EEO-1 reporting:

- A **private employer** that has **100 or more employees** (with limited exceptions for schools and other organizations);
- A private employer with between 15 and 99 employees if it is part of a group of employers that legally constitutes a single enterprise that employs a total of 100 or more employees; and
- A **federal contractor** that has **50 or more employees**, is either a prime contractor or first-tier subcontractor, and has a contract, subcontract or purchase order amounting to **\$50,000** or more.

Enforcement

Although the EEOC sends notification letters to employers it knows to be subject to the EEO-1 requirements, all 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. Federal contractors also risk losing their government contracts for failures to comply.

Important Information

- Employers subject to EEO-1 reporting must file reports by **March 31** each year.
- The 2023 deadline for submission of 2022 EEO-1 data has been **delayed**.
- Collection of 2022 EEO-1 data is scheduled to begin on **Oct. 31, 2023**.
- The deadline for submitting 2022 data is **Dec. 5, 2023**.
- Employers should monitor [the EEOC's EEO-1 webpage](#) for updated resources, which the agency expected to release in early September 2023.
- Employers filing EEO-1 Reports for the first time must [register](#) to receive a company login, password and further instructions for filing from the EEOC.