HR-Alert: EEO-1 Portal Opens October 31st

The EEO-1 Report is a federally mandated report that collects workforce data during a specific snapshot pay period from October through December for covered employers. Traditionally, the annual filing has been in March, but as our previous **HR-Alert** notated, the portal opening was delayed to mid-July 2023, then again to Fall 2023. The Employment Opportunity Commission (EEOC) just announced that filing portal would open on October 31, 2023, and the deadline to complete the filing is December 5, 2023.

Who Must File?

Private employers subject to Title VII with 100 or more employees and federal contractors with 50 or more employees meeting certain criteria, are required to submit demographic workforce data annually, including data by race/ethnicity, sex, and job categories. Employers with less than 100 employees may still have a reporting obligation, if they own, are owned by, and/or are affiliated with another entity, or if there is common ownership, management, or control with another entity, where they operate as a single or integrated establishment, which collectively has at least 100 employees.

Are there Exemptions?

If an organization has 50 or more employees, there are exemptions for specific industries, such as certain educational institutions and religious entities. A full list of exemptions can be found **here.** While exempt from EEO-1 filing, public elementary and secondary school systems and districts with 100 or more employees must submit similar demographic workforce data on a biennial basis on an **EEO-5** (Elementary-Secondary Staff Information Report). Updates regarding the 2024 EEO-5 data collection, including the opening date will be announced as they become available.

What Are the Filing Requirements?

EEO-1 reports must include employment data from a "workforce snapshot period," which is any pay period from October through December. For this filing period, data from 2022 is being collected. When counting employees to determine if an organization is required to submit EEO-1 data, only employees on the payroll during the workforce snapshot period are counted. The information being collected is often located in an employer's human resources information systems (HRIS) or payroll platform, including workforce demographics and job function categories.

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Employer Next Steps

- Eligible filers should begin to prepare their data in preparation of the portal opening and file by December 5, 2023
- Employers may review resources on the EEOC's **home page**
- All updates about the 2022 EEO-1 Component 1 data collection, including the Data File Upload Specifications, will be posted to **www.eeocdata.org/eeo1** as they become available
- Collecting your data and understanding the requirements can be a timely process. If you are interested in outsourcing the preparation and submission of your EEO-1 Component 1 Data, please **email us** to learn more about this service

If you have any questions regarding this HR-Alert, please **email us.**