

# Reporting on Equal Employment Opportunity

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## Understanding Equal Employment Opportunity (EEO)

Equal Employment Opportunity

(EEO) data comes from fields on Employee Information records.

The EEO-1 Report is a compliance survey mandated by federal statutes and regulations. It requires company employment data to be categorized by race/ethnicity, gender, job category, and (at some point in the future) pay. If your company meets the following criteria, you are required to file the EEO-1 report annually:

## Who Has to File an EEO-1 Report?

Companies that meet any of the following EEO criteria:

- **100 or more employees**
- or
- **Fewer than 100 employees if the company is owned by or corporately affiliated with another company and the entire enterprise employs a total of 100 or more employees**
- or
- **Federal government prime contractors or first-tier subcontractors subject to Executive Order 11246 with 50 or more employees and a prime contract or first-tier subcontract amounting to \$50,000 or more.**

First-time filers can get started by registering [here](#).

[Here](#) is the link to submit data electronically once you have already registered.

## EEO Data Confidentiality

All reports and any information from individual reports are subject to the confidentiality provisions of Title VII, and may not be made public by the EEOC prior to the institution of any proceeding under Title VII involving the EEO-1 data. Any EEOC employee who violates this prohibition may be found guilty of a criminal misdemeanor and could be fined or imprisoned. The confidentiality requirements allow the EEOC to publish only aggregated data, and only in a manner that does not reveal any particular filer's or any individual employee's personal information.

OFCCP will notify contractors of any Freedom of Information Act (FOIA) requests that are made to obtain any of the data provided on the EEO-1 report, and will protect the confidentiality of EEO-1 data to the maximum extent possible consistent with FOIA and the Trade Secrets Act. However, should OFCCP receive FOIA requests for any EEO-1 data on filers not within its jurisdiction, OFCCP will refer the requests to the EEOC for a response. The confidentiality provision of Section 709(e) of Title VII applies to all EEO-1 data submitted by filers that are not federal contractors, and the EEOC adheres to that statutory provision when reviewing all requests for EEO-1 data.

When Is the EEO-1 Report Due?

The EEO-1 is usually due March 31st, however, reporting has been pushed back for the last several years. In 2019, reports were due May 31st.

Must I  
File EEO-1 Electronically?

Yes. The preferred and most efficient method of submitting EEO-1 reports is through the EEO-1 Online Filing Application or as an electronically transmitted datafile (ASCII/TEXT file). The EEOC-approved specifications for creating an EEO-1 datafile are [here](#). Only upon approval will paper EEO-1 forms be generated and only under extreme circumstances where Internet access is not available.

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