



# COMPLIANCE BULLETIN

## HIGHLIGHTS

- The filing deadline for 2018 EEO-1 Reports has been **extended to May 31, 2019**.
- Employers must use the EEO-1 Online Filing System, which will open in early March 2019, to submit their 2018 data.
- This rule applies to employers with 100 or more employees and to certain federal contractors.

## IMPORTANT DATES

### Early March 2019

The EEO-1 Online Filing System opens for 2018 EEO-1 Reports.

### May 31, 2019

Extended deadline for employers to submit certified 2018 EEO-1 Reports to the EEOC.

## EEO-1 Filing Deadline is Extended to May 31, 2019

### OVERVIEW

The Equal Employment Opportunity Commission (EEOC) has extended the deadline for employers to submit EEO-1 Reports for 2018. The reports are now **due by May 31, 2019**.

The EEO-1 Report is an annual survey required under Title VII of the federal Civil Rights Act (Title VII). Under the law, employers with 100 or more employees and certain federal contractors must use the [EEO-1 Online Filing System](#) to submit employment data by March 31 every year. The EEOC extended the 2019 deadline because the federal government shutdown has delayed the online system's opening for 2018 reports. The EEOC expects the system to become available for 2018 submissions in **early March 2019**.

### ACTION STEPS

- Employers should monitor the [EEO-1 website](#) for more information about EEO-1 filing requirements and about when the filing system will be open for 2018 Reports.
- In the meantime, employers filing EEO-1 Reports for the first time should [register](#) to receive a company login, password and further instructions from the EEOC.

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## Background

The EEO-1 Report is a federally mandated survey that collects workforce data from employers. The data is categorized by race, ethnicity, sex and job category. The EEOC uses this information to enforce federal prohibitions against employment discrimination and discriminatory pay practices.

## Employers Subject to EEO-1 Reporting Requirements

With limited exceptions, the following entities must file EEO-1 Reports by March 31 every year (however, the deadline for 2018 reports has been extended to **May 31, 2019**):

- ✓ 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, and employs a total of 100 or more employees; and
- ✓ A **federal contractor** that has **50 or more employees** and is either a prime contractor or first-tier subcontractor, and has a contract, subcontract or purchase order amounting to **\$50,000 or more**.

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.

If the preparation or filing of an EEO-1 Report would create undue hardship, an employer may send a written request for an exemption or for special reporting procedures to the EEOC. Employers may also obtain a one-time, 30-day extension of the EEO-1 filing deadline by [emailing](#) a request to the EEOC.