THE NATIONAL LAW REVIEW

EEOC Postpones EEO-1 Reports to 2021

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Today the EEOC published a Notice in the Federal Register, announcing a delay in its collection of EEO-1 Component 1 data — until March of 2021 — due to the coronavirus pandemic. (FR Doc. 2020-09876). Component 1 data is what most employers associate with the EEO-1 Report: employment data summarized by job category, race/ethnicity, and gender. There will now be no EEO-1 Reports submitted in 2020.

Historically, EEO-1 Reports have been due on September 30th of each year. In 2019, however, the report was delayed while the EEOC requested a new, three-year approval for the Component 1 Report from the Office of Management and Budget (OMB). Now, the 2020 report is also delayed. The Agency explained that:

The EEOC recognizes the impact that the current public health emergency is having on workplaces across America and the challenges that both employers and employees alike are now facing. Filers... are dealing with unique and urgent issues. Delaying the collections until 2021 will ensure that EEO filers are better positioned to provide accurate, valid and reliable data in a timely manner.

In other words, EEOC recognizes the struggles facing today’s employers, and has de-prioritized the EEO-1 data in light of larger, more pressing concerns caused by...
COVID-19. EEOC hopes that businesses will be back to “business as normal” by March of next year.

Two years of information will be collected in the next cycle: both 2019 and 2020 Component 1 data will be due in March of 2021 (with a specific date to be identified later). As has been well publicized over the preceding months, EEOC does not intend to continue collecting the controversial “Component 2” pay and hours report (See our previous blog posts on Component 2. Component 3 (local union) and Component 5 (elementary-secondary staff) reports are also delayed, until January 2021.

General information about the EEO-1 Report, including technical filing guidelines and how to handle mergers, acquisitions, and spinoffs, is available to employers on the EEOC’s website.

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