

# Not So Gentle Reminder – EEO-1 Reports are due on September 30

## Description

Sorry folks but unlike last year, when the Equal Employment Opportunity Commission (EEOC) extended the September 30 deadline for a month, those required to file in 2016 have no such luck. The deadline remains September 30.

As you should know, an Employer Information Report EEO-1s (EEO-1) must be filed by:

- All private employers subject to Title VII of the Civil Right Act (Title VII) with 100 or more employees (with certain exclusions for educational institutions or tax-exempt private membership clubs);
- All private employers subject to Title VII with LESS THAN 100 employees if the company is owned or affiliated with another company, or there is centralized ownership, control or management so that the combined organizations are legally considered a single enterprise, and that single enterprise employs a total of 100 or more employees; and
- Certain federal contractors.

The preferred and most efficient method of submitting an 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 available at <http://www.eeoc.gov/eeo1survey>.

By way of quick primer on some basic filing issues:

- A single-establishment company does business at only one physical address. Single-establishment companies are only required to submit one EEO-1 data record/report (Type 1 Report).
- A multi-establishment company does business at two or more physical addresses. Multi-establishment companies are required to submit the following reports:
  - Type 2 – Consolidated Report – The Consolidated Report must include all employees of the company categorized by race, gender and job category.
  - Type 3 – Headquarters Report – The Headquarters Report must include employees working at the main office site of the company and those employees that work from home that report to the corporate office. A separate EEO-1 report for the headquarters establishment is required even if there are fewer than 50 employees working at the headquarters establishment.
  - Type 4 – Establishment Report – A separate EEO-1 Type 4 report must be submitted for each physical establishment with 50 or more employees.
  - Type 6 or 8 – Establishment Report – A separate EEO-1 Type 8 report must be submitted for each establishment employing fewer than 50 employees. Alternatively employers can file a Type 6 – Establishment List “ setting forth the establishment name, complete address and total number of employees for each physical location where fewer than 50 employees are working.
- Employment data must be pulled from one pay period in July, August, or September of the current survey year.
- Employers may not “just write in” the person’s ethnicity even if you think you know it. Self-identification is the preferred method of identifying the race and ethnic information needed. Employers are required to attempt to allow employees to use self-identification to complete the EEO-1 report. If an employee declines to self-identify, employment records or observer identification may be used.
- Both full and part-time employees are included.
- Employees who work from home must be included in the EEO-1 report for the establishment to which they report. Do not indicate home addresses for these employees.

## Date Created

September 26, 2016