

LEGAL UPDATES

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EEOC Announces Shortened Filing Deadline for EEO-1 Filers

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In early January 2022, the EEOC issued announcements regarding 1) opening and closing dates for filing the 2021 EEO-1 Component 1 Reports, and 2) changes in the types of reports required for certain multi-establishment EEO-1 Component 1 filers. The 2021 EEO-1 Component 1 data collection is tentatively scheduled to open on April 12, 2022 with a filing deadline of May 17, 2022. In addition, all multi-establishment filers reporting data for smaller locations are limited to the Type 8 Establishment Report.

Notable changes for the 2021 EEO-1 data collection period

Shorter filing period. Employers of businesses with 100 or more employees and certain federal contractors with both 50 or more employees and with a federal contract of \$50,000 or more are required to file an annual EEO-1 Component 1 Report. Component 1 requires the reporting of aggregate race/ethnicity and sex information on all employees but does not require disclosure of compensation data. The filing window for the 2021 EEO-1 Component 1 Reports is limited to five weeks, a significantly shorter period than the EEO-1 filing period allowed for the years 2019 and 2020, which was extended several times during the COVID-19 pandemic, as well as the 10-week period that the EEOC traditionally has permitted to file EEO-1 Component 1 data. The EEOC has described the opening and closing dates for the 2021 EEO-1 Component 1 data as “tentative” and has indicated that future updates will be posted on its website.

Discontinuance of Type 6 Establishment List Report. The EEOC has discontinued the use of the EEO-1 Component 1 Type 6 Establishment List Report for those multi-establishment companies that include locations with fewer than 50 employees. Beginning with the 2021 EEO-1 Component 1 data collection, multi-establishment filers that have one or more establishments with fewer than 50 employees must use the Type 8 Establishment Report for

the smaller locations. The Type 8 Report requires employee data for each establishment to be categorized by race/ethnicity, sex and job category. Filing requirements for single establishment companies and multi-establishment companies can be found at the EEOC's EEO-1 Component 1 Data Collection Fact Sheet.

What this means to you

Employers facing shorter filing periods may want to seek assistance or to outsource the process of filing EEO reports. Husch Blackwell attorneys who regularly counsel clients on pay equity laws and manage EEO compliance issues can provide the assistance and compile the reports that you need.

Contact us

If you have questions regarding your obligations with respect to filing EEO reports, contact Sonni Nolan, Molly Kurt, Tracey O'Brien or your Husch Blackwell attorney.