



# COMPLIANCE BULLETIN

## HIGHLIGHTS

- Employers may now use the EEOC's online filing system to submit EEO-1 Reports for 2017.
- Employers with 100 or more employees and certain federal contractors must file by March 31.
- Employers that filed EEO-1 Reports for 2016 should receive 2017 filing instructions by mail.

## IMPORTANT DATES

### January 24, 2018

The EEOC opened its online EEO-1 filing system for 2017 workforce data.

### March 31, 2018

Deadline for employers to submit certified EEO-1 Reports to the EEOC.

## EEOC Opens EEO-1 Filing System for 2017 Reports

### OVERVIEW

The [EEO-1 Online Filing System](#) is now open for employers to submit 2017 EEO-1 Reports, the Equal Employment Opportunity Commission (EEOC) announced on Jan. 24, 2018.

Employers with 100 or more employees and certain federal contractors must use the online system to report 2017 employment data. EEO-1 Reports are due by March 31, 2018.

The EEO-1 Report is an annual survey required by the federal government under Title VII of the Civil Rights Act (Title VII).

### ACTION STEPS

- Employers that previously filed EEO-1 Reports should receive an EEOC [notification letter](#) in the mail by Jan. 29, 2018, and should follow the accompanying instructions for 2017 filing.
- Employers that expect to, but do not receive a notification letter should contact the EEOC.
- Employers filing EEO-1 Reports for the first time must [register](#) to receive a company login, password and further instructions for filing 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:

- ✓ 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, which 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 March 31. 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. The EEOC does not grant any exemptions or extensions requested after the March 31 filing deadline.

## 2017 EEO-1 Report

Employers subject to 2017 EEO-1 reporting must submit their reports by either:

- ✓ Entering data directly into the EEO-1 online filing system; or
- ✓ Uploading a data file (which must meet certain [specifications](#)) into the online system.

The 2017 EEO-1 survey requires information about an employer's workforce from any payroll period in the fourth quarter of calendar year 2017. When completing the EEO-1, employers must use data from **only one** payroll period in either **October, November or December 2017**. Employers must include information about both part-time and full-time employees. The survey does not require information about job applicants.

The EEOC encourages employers that need EEO-1 filing assistance to send an email to the agency's [technical assistance](#) inbox. Employers may also find more guidance on the EEOC's 2017 EEO-1 Survey [website](#).