



**DISCLAIMER**

This document has been prepared by Trinity HR Consulting, Inc. (“Trinity”) solely for use as a general source of information. As such, it is not intended to take the place of obtaining advice from legal and/or tax counsel. Trinity strongly urges seeking legal and/or tax counsel on this subject matter prior to taking any related actions or making any related decisions.

**EEO-1 REPORTING REQUIREMENTS FINALIZED**

For some time, there has been debate as to the date the federal government was going to set for the 2019 EEO-1 Report to be submitted. It has been finally been resolved.

⇒ September 30<sup>th</sup>, 2019 has been established as the submission date for pay data for both 2017 and 2018 to be reported to the Equal Employment Opportunity Commission (EEOC).

The data that has been required in years past is still due by May 31, 2019. An appeal of the latest decision has been filed, so it's possible that there could be yet another change to the requirements, but employers should plan to comply with these deadlines, as described below.

**Does my business even need to file the EEO-1 report?**

If you have fewer than 100 employees and no federal contracts, you are not subject to EEO-1 reporting requirements. Only two categories of employers need to submit EEO-1 data:

1. **Organizations with 100 or more employees** (excluding public primary and secondary schools, institutions of higher education, tribes, and tax-exempt private membership organization);
2. **Federal contractors with 50 or more employees AND are:**
  - Prime or first-tier subcontractors with a contract worth \$50,000 or more; or
  - A depository for U.S. government funds in any amount; or
  - An issuing and paying agent for U.S. Savings Bonds and Savings Notes.

**What information do I need to report, and by when?**

The EEOC has divided the information it requires into two categories, referred to as components.

**Component 1 data:** *This is the information that has always been required.* It includes data about all employees by job category, race, ethnicity, and sex. Component 1 data for calendar year 2018 is due by May 31, 2019. The online survey application is open and available here. If you have never filed the EEO-1 report before, but believe you need to, start here.

**Component 2 data:** *This is the newly-required information.* It includes data about all employees, including wages, hours worked, race, ethnicity, and sex. This year employers will need to report Component 2 data for calendar years 2017 and 2018. Component 2 data is due by September 30, 2019. The online filing portal is not yet open but expected to be available mid-July.

For both types of data, the preferred method of reporting is through the EEO-1 Survey Application, which generates a table for employers to provide the required information. Employers do not need to worry about creating and formatting a complicated report.

**Additional Information**

On its website, the EEOC has provided answers to Frequently Asked Questions and also created an Instruction Booklet.