

# Electronic Alert

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## **Covered Employers May Now Report 2021 EEO-1 Component 1 Data (Are You Covered? And What Will You be Reporting?)**

By Stacie Damazo & Paula Barran

This week, the U.S. Equal Employment Opportunity Commission (“EEOC”) announced that the 2021 EEO-1 Component 1 data collection process is now open, and this year’s deadline is May 17.

The EEO-1 Component 1 Report reflects an annual data collection requirement imposed on certain private and federal employers, and seeks demographic workforce data, including race/ethnicity, sex, and job categories. Following the May 17 deadline, the EEOC will enter the “failure to file” phase until June 21, 2022.

There is also a new filer support system to streamline the process. The Filer Support Team Message Center allows filers to submit, update, track, and terminate requests for assistance; and provides a number of self-service capabilities.

Let’s unpack this message:

### ***Who Must File a Report?***

Subject to certain exemptions, these requirements apply to the following:

- Private employers with 100 or more employees;
- Private employers with fewer than 100 employees, if the company is owned or affiliated with another company, or there is centralized ownership, control or management, such that they legally constitute a single enterprise and the entire enterprise employs 100 or more employees; and
- Federal contractors with 50 or more employees.

If you received an EEO-1 Component 1 notification letter, but you do not believe you are required to report, you must access the EEO-1 Component 1 Online Filing System to complete the eligibility screener and confirm your status.

### ***What Information Do You Need to Collect?***

If you are required to participate, you need to collect and submit a “workforce snapshot” for all full-time and part-time employees (including those who worked remotely), during the timeframe specified by the EEOC. The workforce snapshot includes information such as employee demographics and job categories.

### ***How Will You Collect the Required Data?***

You are required to offer employees the opportunity to use self-identification to complete the Report. If an employee declines to self-identify race and/or ethnicity, employment records or observer (visual) identification may be used to complete the Report.

### ***A Note for Third-Party Human Resource Organizations:***

In February, the EEOC announced updated procedures for third-party human resource organizations. Among other things, third-party human resource organizations may not submit a Report that includes itself and a client employer, or a Report that includes multiple client employers. For more information as to the updated procedures, see the EEOC's [Fact Sheet for Third-Party Human Resource Organization Reporting Procedures \(including PEOs\)](#).

*For questions about EEO-1 Component 1 Data Collection or for any other employment-related questions, contact Stacie Damazo or Paula Barran at 503-228-0500, or at [sdamazo@barran.com](mailto:sdamazo@barran.com) or [pbarran@barran.com](mailto:pbarran@barran.com).*