

# PUBLICATION

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## Employers Have Homework: EEO-1 Reports Due September 30th

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**Across the country, kids are headed back to school. However, they are not the only ones who have homework to turn in. Employers also have an assignment to complete. Specifically, EEO-1 reports must be filed and certified by September 30, 2014. "The dog ate my homework" excuse will not get you a pass. So how do you ace this assignment? No worries. We have your "cheat sheet" right here.**

### 1. What is an EEO-1 report?

The EEO-1 report, also known as The Employer Information Report, was jointly developed by the Equal Employment Opportunity Commission (EEOC) and the Office of Federal Contract Compliance Programs of the U.S. Department of Labor to provide the federal government with statistical data about gender and race/ethnicity by job grouping in the U.S. workforce. The report was also intended to be an internal tool for employers to evaluate their own workforce and ensure equal opportunity. On the report, employers must identify all employees, including those in part-time positions, by gender and race/ethnicity according to their job categories. In 2010, the EEOC released a job classification guide to assist employers in identifying the correct job category. The guide may be found on the EEOC's website.

### 2. How do I know if my company is supposed to file an EEO-1 Report?

In general, the EEO-1 report must be filed by all (a) private employers who are subject to Title VII of the Civil Rights Act of 1964, as amended, with 100 or more employees; (b) smaller companies with fewer than 100 employees if they are owned by or affiliated with another company, and the two companies combined employ a total of 100 or more employees; and (c) all federal contractors who have 50 or more employees and are prime contractors or first-tier contractors, and have a contract, sub-contract, or purchase order amounting to \$50,000.00.

### 3. How do I file an EEO-1 report?

The EEOC is "strongly" encouraging employers to submit the reports through the EEO-1 Online Filing System, or as an electronically transmitted data file copy. The EEOC will provide paper EEO-1 forms that can be submitted via regular mail only by request and only if internet access is unavailable to the employer.

### 4. My company's workforce has fluctuated over the past year. What time period should I use when providing the workforce information?

Employers may use figures from any pay period in July through September of 2014.

### 5. My company has multiple job sites. Do I have to submit a separate report for each location?

Yes. Employers doing business at more than one establishment must complete the following reports:

- a report covering the principal or headquarters office;

- a separate report for each establishment employing 50 or more persons; and
- a separate report for each establishment with fewer than 50 employees, or an "Establishment List" that shows the name, address, and total employment for each establishment employing fewer than 50 employees

Please note the number of employees identified on each of the separate reports must equal the total number of employees shown on the Consolidated Report.

Remember that, although employee self-identification is voluntary, EEO-1 reports are not. Covered employers are required to submit them by the end of this month. Sharpen your pencils and get to work!

If you need assistance or have any questions about the completion of your EEO-1 report, please contact a Baker Donelson attorney.