



On Feb. 1, 2019, the U.S. Equal Employment Opportunity Commission (EEOC) announced an extension of the filing deadline for the 2018 EEO-1 Report from March 31, 2019 to **May 31, 2019**. The extension is the result of the partial federal government shutdown, which delayed mailing of login information for the EEO-1 web portal.

The EEOC indicated that the filing portal will now be open in early March. In addition, the EEOC will soon release more information about EEO-1 filing and suggests employers monitor the EEO-1 website.

Completing the EEO-1 Report can be a trying process. If you are in need of a refresher on EEO-1 basics, here are answers to a few common questions related to preparing and filing the EEO-1 Report.

DOES MY COMPANY NEED TO FILE AN EEO-1 REPORT?

All companies that meet the criteria below are required to file the EEO-1 Report annually:

1. Subject to Title VII of the Civil Rights Act with 100 or more employees.
2. Subject to Title VII of the Civil Rights Act with fewer than 100 employees if the company is owned by or corporately affiliated with another company and the entire enterprise employs a total of 100 or more employees.
3. Federal government prime contractors or first-tier subcontractors subject to Executive Order 11246 with 50 or more employees and a prime contract or first-tier subcontract amounting to \$50,000 or more.

WHAT INFORMATION IS USED TO COMPLETE THE EEO-1 REPORT?

The EEO-1 Report is based on workforce data from one payroll in the fourth quarter of 2018.

HOW IS AN EMPLOYEE'S ETHNICITY DETERMINED FOR EEO-1 REPORTING PURPOSES?

The EEOC notes that employee self-identification is the preferred method of identifying the race and ethnic information necessary completing the EEO-1 Report. Employers are required to attempt to allow employees to use self-identification to complete the EEO-1 Report. If an employee declines to self-identify, employment records or observer identification may be used.

Employers can find additional answers to EEO-1 preparation and filing questions on the [EEOC's website](#).

If you have specific questions, please contact the McDonald Hopkins attorney below.



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