



IMPORTANT UPDATE

The Equal Employment Opportunity Commission (EEOC) delayed the implementation of the revised EEO-1 form on August 29, 2017. The revised report would have gone into effect March 31, 2018, and required employers with 100 or more employees to report W-2 wage information and total hours worked for all employees by race, ethnicity, and sex within 12 proposed pay bands.

While employers will not be required to report on wages or hours worked, existing EEO-1 obligations have not changed. The EEOC will publish further details about what actions will be taken and any future deadlines in the Federal Register.

As a reminder, there is no EEO-1 reporting deadline in CY 2017. Employers will count their employees during the "workforce snapshot period", which will be October 1 to December 31, 2017 for the EEO-1 report to be filed March 31, 2018. Both full and part-time employees must be counted.

The following overview of the required report has been revised to exclude the information on pay ranges and aggregate hour reporting that has been delayed.

Overview

The EEO-1 Report is mandated by federal statute and regulations, and must be submitted on an annual basis to the Equal Employment Opportunity Commission (EEOC). The survey requires company employment data to be categorized by race/ethnicity, gender and job category. The survey is a joint information collection by the EEOC and the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP).

Companies required to file the EEO-1 report are subject to Title VII of the Civil Rights Act of 1964, as amended, and have:

- 100 or more employees;
- Or have 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;
- Or are federal government prime or first tier subcontractors subject to Executive Order 11246, as amended, with 50 or more employees and a prime contract or first-tier subcontract amounting to \$50,000 or more.

Employment data reported must be from one pay period in a period designated by the EEOC for the current survey year. The report covers both full and part-time employees, with data derived from the completion of a self-identification form or other acceptable method for all employees paid for the pay period being reported. If the employee declines to self-identify, employment records or observer identification may be used. Those employees working remotely must be included. Applicant data is not required. Company establishments or locations outside of the U.S. should not be reported. The preferred and most efficient method of submitting EEO-1 reports is through the EEO-1 Online Filing Application or as an electronically submitted datafile (ASCII/TEXT file).

According to EEO-1 guidelines, a single establishment company which does business only at one physical address is only required to report data for that location. A multi-establishment company is defined as doing business at two or more physical addresses. Companies falling under this definition are required to submit a separate report for the headquarters, a separate report for each establishment with 50 or more employees, and a separate report for each establishment with fewer than 50 employees, and a consolidated report that includes all employees.

Race and Ethnic Identification

Where records are maintained, it is recommended that such identification records be kept separately from the employee's basic personnel file or other records available to those responsible for personnel decisions. Observer identification should never be used for sex identification.

<i>Race/Ethnicity Category</i>	<i>Definition</i>
Hispanic or Latino	A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
White (Not Hispanic or Latino)	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
Black or African American (Not Hispanic or Latino)	A person having origins in any of the black racial groups of Africa.
Native Hawaiian or Pacific Islander (Not Hispanic or Latino)	A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
Asian (Not Hispanic or Latino)	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.
Native American or Alaska Native (Not Hispanic or Latino)	A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
Two or More Races (Not Hispanic or Latino)	All persons who identify with more than one of the above five races.

Job Categories

The EEOC provides a guide classifying hundreds of jobs into the 10 EEO-1 job categories
(<https://www.eeoc.gov/employers/eo1survey/jobclassguide.cfm>)

<i>Category</i>	<i>Definition</i>
Executive/Senior Level Officials and Managers	Individuals who plan, direct and formulate policies, set strategy and provide the overall direction of enterprises/organizations for the development and delivery of products or services, within the parameters approved by boards of directors or other governing bodies. Residing in the highest levels of organizations, these executives plan, direct or coordinate activities with the support of subordinate executives and staff managers. They include, in larger organizations, those individuals within two reporting levels of the CEO, whose responsibilities require frequent interaction with the CEO. Examples of these kinds of managers are chief executive officers, chief operating officers, chief financial officers, line of business heads, presidents or executive vice presidents or functional areas or operating groups, chief information officers, chief human resources officers, chief marketing officers, chief legal officers, management directors and managing partners.
First/Mid-Level Officials and Managers	Individuals who serve as managers, other than those who serve as Executive/Senior Level Officials and Managers, including those who oversee and direct the delivery of products, services or functions at group, regional or divisional levels of organizations. These managers receive directions from the Executive/Senior Level management and typically lead major business units. They implement policies, programs and directives of executive/senior management through subordinate managers and within the parameters set by Executive/Senior Level management. Examples of these kinds of managers are vice presidents and directors, group, regional or divisional controllers, treasurers, human resources, information systems, marketing and operations managers. These individuals serve at functional, line of business segment or branch levels and are responsible for directing and executing the day-to-day operational objectives of enterprises/organizations, conveying the directions of exempt and non-exempt personnel. Examples of these kinds of managers are: first-line managers; team managers, unit managers, operations and production managers, branch managers, administrative services managers, purchasing and transportation managers, storage and distribution managers, call center or customer service managers, technical support managers, and brand or product managers.
Professionals	Most jobs in this category require bachelor and graduate degrees, and/or professional certification. In some instances, comparable experience may establish a person's qualifications. Examples of these kinds of positions include accountants and auditors, airplane pilots and flight engineers, architects, artists, chemists, computer programmers, designers, dieticians, editors, engineers, lawyers, librarians, mathematical scientists, natural scientists, registered nurses, physical scientists, physicians and surgeons, social scientists, teachers, and surveyors.
Technicians	Jobs in this category include activities that require applied scientific skills, usually obtained by post-secondary education of varying lengths, depending on the particular occupation, recognizing that in some instances additional training, certification, or comparable experience is required. Examples of these types of positions include drafters, emergency medical technicians, chemical technicians, and broadcast and sound engineering technicians.
Sales Workers	These jobs include non-managerial activities that wholly and primarily involve direct sales. Examples of these types of positions include advertising sales agents, insurance sales agents, real estate brokers and sales agents, wholesale sales representatives, securities, commodities, and financial services sales agents, telemarketers, demonstrators, retail salespersons, counter and rental clerks, and cashiers.



Administrative Support Workers	These jobs involve non-managerial tasks providing administrative and support assistance, primarily in office settings. Examples of these types of positions include office and administrative support workers, bookkeeping, accounting and auditing clerks, cargo and freight agents, dispatchers, couriers, data entry keyers, computer operators, shipping, receiving and traffic clerks, word processors and typists, proofreaders, desktop publishers, and general office clerks.
Craft Workers (formerly Craft Workers Skilled)	Most jobs in this category include higher skilled occupations in construction (building trades craft workers and their formal apprentices) and natural resource extraction workers. Examples of these types of positions include boilermakers, brick and stone masons, carpenters, electricians, painters (both construction and maintenance), glaziers, pipelayers, plumbers, pipefitters and steamfitters, plasterers, roofers, elevator installers, earth drillers, derrick operators, oil and gas rotary drill operators, and blasters and explosive workers. This category also includes occupations related to the installation, maintenance and part replacement of equipment, machines and tools, such as automotive mechanics, aircraft mechanics, and electric and electronic equipment repairers. This category also includes some production occupations that are distinguished by the high degree of skill and precision required to perform them, based on clearly defined task specifications, such as millwrights, etchers and engravers, tool and die makers, and pattern makers.
Operatives (formerly Operatives Semi-Skilled)	Most jobs in this category include intermediate skilled occupations and include workers who operate machines or factory related processing equipment. Most of these occupations do not usually require more than several months of training. Examples include textile machine workers, laundry and dry cleaning workers, photographic process workers, weaving machine operators, electrical and electronic equipment assemblers, semiconductor processors, testers, graders and sorters, bakers, and butchers and other meat, poultry and fish processing workers. This category also includes occupations of generally intermediate skill levels that are concerned with operating and controlling equipment to facilitate the movement of people or materials, such as bridge and lock tenders, truck, bus or taxi drivers, industrial truck and tractor (forklift) operators, parking lot attendants, sailors, conveyor operators, and hand packers and packagers.
Laborers and Helpers (formerly Laborers Unskilled)	Jobs in this category include workers with more limited skills who require only brief training to perform tasks that require little or no independent judgment. Examples include production and construction worker helpers, vehicle and equipment cleaners, laborers, freight, stock and material movers, service station attendants, construction laborers, refuse and recyclable materials collectors, septic tank servicers, and sewer pipe cleaners.
Service Workers	Jobs in this category include food service, cleaning service, personal service, and protective service activities. Skill may be acquired through formal training, job-related training or direct experience. Examples of food service positions include cooks, bartenders, and other food service workers. Examples of personal service positions include medical assistants and other healthcare support positions, hairdressers, ushers, and transportation attendants. Examples of cleaning service positions include cleaners, janitors, and porters. Examples of protective service positions include transit and railroad police and fire fighters, guards, private detectives and investigators.