

THOUGHT LEADERSHIP

Service

Labor & Employment

LEGAL UPDATES

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EEOC Delays 2019 and 2020 EEO Data Collections until 2021

On May 8, 2020, the EEOC published an announcement that it will delay the opening of the 2019 EEO-1 Component 1 and the 2020 EEO-3 and EEO-5 data collections until 2021 due to the effect of the COVID-19 pandemic on employers. Pending approval of the extension by the OMB, the EEOC expects to begin data collections as follows:

Year	EEO-1, Component 1	EEO-3	EEO-5
2019	March 2021		
2020	March 2021	January 2021	January 2021

The specific date on which the surveys will open is expected to be announced as soon as the information is available.

Generally, employers with at least 100 employees, and federal contractors with 50 or more employees and a federal contract of \$50,000 or more must file EEO-1 component 1 data. Component 1 data provides information on the racial, ethnic, and gender composition of the workforce by job category during a specified period of time. The EEOC uses the data to analyze employment patterns, such as the employment of women and minorities in companies, industries, and regions. The EEOC provides information to employers regarding filing requirements [here](#).

In September 2019, the EEOC advised OMB that it would not seek approval to collect Component 2 data for the 2019 reporting cycle, because it had greatly underestimated the cost to employers of the reporting. The controversial EEO-1 Component 2 required employers to report aggregate compensation data. Absent a successful legal challenge to EEOC's decision, or a change in the

Administration, Component 2 is not expected to return.

The EEO-3 report collects labor force data from Local Referral Unions with 100 or more employees within 50 U.S. states and the District of Columbia. The EEO-5 report, also known as the Elementary-Secondary Staff Information Report, covers all public elementary and secondary school districts in the U.S. with 100 or more employees.

Contact us

If you have questions regarding your obligations with respect to filing EEO reports or any related issue, contact Molly Kurt, or your Husch Blackwell attorney.

Comprehensive CARES Act and COVID-19 guidance

Husch Blackwell's CARES Act resource team helps clients identify available assistance using industry-specific updates on changing agency rulemakings. Our COVID-19 response team provides clients with an online legal Toolkit to address challenges presented by the coronavirus outbreak, including rapidly changing orders on a state-by-state basis. Contact these legal teams or your Husch Blackwell attorney to plan a way through and beyond the pandemic.

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