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2024
EEO-1 Component 1 Data Collection Instruction Booklet

EEO-1 Component 1
Data Collection

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U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

2024 EEO-1 COMPONENT 1 DATA COLLECTION

Employer Information Report – Standard Form 100
EEO-1 Component 1 Report

INSTRUCTION BOOKLET

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OVERVIEW OF THE EEO-1 COMPONENT 1 REPORT

Since 1966, the EEOC has required employers to submit workforce demographic data (EEO-1 Component 1) on an annual basis. All private employers that are covered by Title VII of the Civil Rights Act of 1964, as amended (Title VII),[1] and that have 100 or more employees are required to file workforce demographic data.[2] In addition, U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP) regulations require certain federal contractors to file the EEO-1 Component 1 if they have 50 or more employees and are not exempt as provided for by 41 CFR 60-1.5.[3]

Under these authorities, private employers with 100 or more employees and federal contractors with 50 or more employees and that meet certain criteria are required to report annually the number of individuals they employ by job category[4] and by sex and race or ethnicity.[5] These data are currently collected electronically by the EEOC through a web-based data collection application (i.e., portal) referred to as the *EEO-1 Component 1 Online Filing System (OFS)*.[6] Employers must submit their data electronically to the *OFS* through either manual data entry or the upload of a data file. The individual EEO-1 reports are confidential.[7] EEO-1 data are used by the EEOC to

[1] 42 U.S.C. 2000e, *et seq.*

[2] The EEOC's EEO-1 regulation is at 29 CFR Part 1602 Subpart B. § 1602.7 requires eligible employers to file "…in conformity with the directions set forth in the form and accompanying instructions."

[3] Pursuant to Executive Order 11246, OFCCP in 1978 issued its regulations describing the EEO-1 as a report "promulgated jointly with" the EEOC and requiring certain contractors to submit "complete and accurate reports" annually. 41 CFR 60-1.7(a). OFCCP obtains EEO-1 Component 1 reports for federal contractors and subcontractors (contractors) pursuant to its own legal authority under E.O. 11246 and its implementing regulations. *See id* at 60-1.7(a)(1).

[4] The 10 job categories are: Executive/Senior Level Officials and Managers; First/Mid-Level Officials and Managers; Professionals; Technicians; Sales Workers; Administrative Support Workers; Craft Workers; Operatives; Laborers and Helpers; and Service Workers.

[5] The EEO-1 Component 1 uses federal race and ethnicity categories, which were adopted by the Commission in 2005 and implemented in 2007. The seven race/ethnicity categories are: *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 Other 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. *American Indian 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. Please see Appendix B of the Instruction Booklet for additional information on the EEO-1 Component 1 race and ethnicity categories.

[6] EEO-1 Component 1 filers may access the *EEO-1 Component 1 Online Filing System (OFS)* through the EEOC's dedicated EEO-1 Component 1 website at www.eeocdata.org/eeo1.

[7] All reports and any information from individual reports are subject to the confidentiality provisions of Section 709(e) of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-8(e), as amended (Title VII) and may not be made public by the EEOC prior to the institution of any proceeding under Title VII involving such information. Any EEOC employee who violates this prohibition may be found guilty of a criminal misdemeanor and could be fined or imprisoned. The confidentiality requirements allow the EEOC to publish only aggregated data, and only in a manner that does not identify any particular filer or reveal any individual employee's personal information. Because OFCCP obtains EEO-1 data for contractors under its own E.O. 11246 authority, some courts have ruled that the Title VII prohibition against disclosure does not apply to OFCCP's collection of EEO-1 data. *See, e.g., United Techs. Corp. v. Marshall,* 464 F. Supp. 845, 851-52 (D. Conn. 1979); *Sears Roebuck & Co. v. Gen. Servs. Admin.,* 509 F.2d 527, 529 (D.C. Cir. 1974). Accordingly, the EEO-1 Component 1 data of federal contractors received by OFCCP may be subject to potential disclosure by OFCCP under the Freedom of Information Act (FOIA), although FOIA exemptions may prevent disclosure. For more information, see the Department of Labor's FOIA regulations at 41 CFR part 70 and frequently asked questions (Freedom of Information Act (FOIA) Frequently Asked Questions | U.S. Department of Labor (dol.gov)) at https://www.dol.gov/agencies/ofccp/faqs/foia. With respect to other federal agencies with a legitimate law enforcement purpose but without OFCCP's independent authority to collect EEO-1 data, the EEOC gives access to information collected under Title VII

investigate charges of employment discrimination against employers in private industry and to publish periodic reports on workforce demographics.[8]

INSTRUCTIONS

1. LEGAL BASIS

All private employers and federal contractors meeting the eligibility requirements detailed below have a mandatory legal obligation to submit and certify annual EEO-1 Component 1 report(s) containing required workforce demographic data to the EEOC.[9] The instructions for submitting and certifying such reports, including the types of data requested and relevant deadlines, are provided here in the *2024 EEO-1 Component 1 Instruction Booklet*.[10]

2. WHO MUST FILE

Pursuant to Title VII and Executive Order Number 11246, private employers and federal contractors meeting the below requirements have a mandatory legal obligation to submit and certify annual EEO-1 Component 1 report(s) containing required workforce demographic data to the EEOC.[11] Different employee threshold requirements apply depending on whether the employer is a federal contractor that meets certain criteria.

Please note the EEOC does not collect workforce demographic data from *local referral unions, state and local governments*, and *public elementary and secondary school systems and districts* through the EEO-1 Component 1 data collection. Demographic data for these entities are collected

only if the agencies agree, by letter or memorandum of understanding, to comply with the confidentiality provisions of Title VII. In addition, section 709(d) (42 U.S.C. 2000e-8(d)) provides that the EEOC shall furnish upon request and without cost to state or local civil rights agencies information about employers in their jurisdiction on the condition that they not make it public prior to starting a proceeding under state or local law involving such information. The EEOC shares EEO-1 data with Fair Employment Practices Agencies (FEPAs) pursuant to Worksharing Agreements that impose obligations on the contracted FEPA with respect to confidentiality, privacy, and data security. On a case-by-case basis, the EEOC may share EEO-1 data with a FEPA that does not have a Worksharing Agreement, but only if that FEPA agrees to comply with confidentiality, privacy, and data security obligations similar to those imposed on FEPAs with Worksharing Agreements.

[8] Any reports the EEOC publishes based on EEO-1 Component 1 data include only aggregated EEO-1 Component 1 data that protect the confidentiality of each employer's information, as well as the privacy of each employee's personal information.

[9] The authorities under which EEO-1 Component 1 data are collected include: Section 709(c) of Title VII and Sections 1602.7-1602.14, Chapter XIV, Title 29 of the Code of Federal Regulations (CFR); Exec. Order No. 11246, 30 FR 12319 (Sept. 24, 1965) and 41 CFR 60-1.7(a).

[10] To further assist filers, the EEOC provides supplementary resource materials (e.g., user's guide; frequently asked questions (FAQs); fact sheets; mini help desk guides) at the opening of each data collection. Access by registered *OFS* account holders to these supplementary resource materials is available through the dedicated EEO-1 Component 1 data collection website at www.eeocdata.org/eeo1.

[11] An employer that receives an EEO-1 Component 1 filing notice from the EEOC but believes it is not required to file must access the *EEO-1 Component 1 Online Filing System (OFS)* to complete the embedded eligibility screener. If the screener confirms eligibility, the employer must follow the prompts to submit and certify the required workforce demographic data. If the eligibility screener indicates the employer is ineligible to file, the employer must certify that it is ineligible in the *OFS*. Failure to certify ineligibility through the *OFS* will result in future EEO-1 Component 1 filing notices being sent to the employer by the EEOC. Additionally, an employer that receives an EEO-1 Component 1 filing notice from the EEOC but has ceased operations and is no longer in business must also access the *EEO-1 Component 1 Online Filing System (OFS)* to complete the eligibility screener. If the eligibility screener indicates the employer is ineligible to file, the employer must certify that its company is ineligible and no longer in business in the *OFS*. Similarly, failure to certify ineligibility through the *OFS* will result in future EEO-1 Component 1 filing notices being sent to the employer by the EEOC.

through other EEO data collections administered by the EEOC.[12] These biennial data collections include the EEO-3 Local Union Report, the EEO-4 State and Local Government Report, and the EEO-5 Elementary-Secondary Staff Information Report.[13]

Private Employers[14]

A private employer that is subject to Title VII and that has 100 or more employees during an employer-selected pay period (i.e., workforce snapshot period) in the fourth quarter (i.e., October 1 through December 31) of the reporting year[15] has a mandatory legal obligation to submit and certify an annual EEO-1 Component 1 report containing required workforce demographic data to the EEOC.[16]

Additionally, a private employer that is subject to Title VII with *fewer* than 100 employees has a mandatory legal obligation to submit and certify an annual EEO-1 Component 1 report(s) containing required workforce demographic data to the EEOC if the employer owns, is owned by, and/or is affiliated or associated[17] with another employer or there is centralized or common ownership, control,[18] or management so that the group of employers constitutes a single enterprise and/or integrated enterprise and the entire enterprise had 100 or more employees[19] during an employer-selected pay period (i.e., workforce snapshot period) in the fourth quarter (i.e., October 1 through December 31) of the reporting year.[20]

Federal Contractors

Pursuant to Executive Order 11246 and Office of Federal Contract Compliance Programs

[12] If you are one of these entities but have received an EEO-1 Component 1 filing notice from the EEOC, please contact the EEO-1 Component 1 Filer Support Team via the online *Message Center* at www.eeocdata.org/eeo1.
[13] Please note that the National Center for Education Statistics (NCES), located within the U.S. Department of Education's Institute for Education Sciences, collects data on post-secondary education through the annual Integrated Postsecondary Education Data System (IPEDS) Survey. *See* https://nces.ed.gov/ipeds/.
[14] Appendix A of the Instruction Booklet provides the definition of an "employer" for purposes of filing the EEO-1 Component 1 report(s).
[15] Workforce demographic data (i.e., employee data by job category and sex and race or ethnicity) submitted by an eligible employer must include all full-time and part-time employees who were employed during an employer-selected pay period (i.e., "workforce snapshot period") in the fourth quarter (i.e., October 1 through December 31) of the reporting year. Please refer to the below section of the Instruction Booklet entitled "WORKFORCE SNAPSHOT PERIOD" for additional information.
[16] Beginning with the 2023 EEO-1 Component 1 data collection, an employer that meets the employee threshold for EEO-1 Component 1 reporting purposes at ***any time during the fourth quarter*** (i.e., October 1 through December 31) of the reporting year, may ***not*** select a "workforce snapshot period" from this quarter where it falls below the threshold in an effort to avoid the filing requirement.
[17] For example, if there is interrelation between operations.
[18] For example, there is financial control or centralized control of personnel policies and/or labor relations.
[19] For example, if an employer (e.g., a parent corporation) has only 30 employees but owns two separate subsidiaries (i.e., establishments) each with 35 employees, the headquarters of the parent corporation must file EEO-1 Component 1 reports for its two subsidiaries (i.e., establishments) since the parent corporation and its two subsidiaries comprise a single enterprise with 100 employees.
[20] Workforce demographic data (i.e., employee data by job category and sex and race or ethnicity) submitted by an eligible employer must include all full-time and part-time employees who were employed during an employer-selected pay period (i.e., "workforce snapshot period") in the fourth quarter (i.e., October 1 through December 31) of the reporting year. Please refer to the below section of the Instruction Booklet entitled "WORKFORCE SNAPSHOT PERIOD" for additional information. Also, beginning with the 2023 EEO-1 Component 1 data collection, an employer that meets the employee threshold for EEO-1 Component 1 reporting purposes at ***any time during the fourth quarter*** (i.e., October 1 through December 31) of the reporting year, may not select a "workforce snapshot period" from this quarter where it falls below the threshold in an effort to avoid the filing requirement.

(OFCCP) regulations,[21] a federal prime or subcontractor that meets all the following four criteria[22] has a mandatory legal obligation to submit and certify annual EEO-1 Component 1 report(s) containing required workforce demographic data to the EEOC. The four criteria outlined in the OFCCP regulations[23] require a contractor to file the EEO-1 if it:

(1) is not exempt from the provisions of these regulations in accordance with § 60-1.5;[24]

(2) has 50 or more employees;

(3) is a prime contractor or first tier subcontractor; and

(4) has a contract, subcontract or purchase order amounting to $50,000 or more or serves as a depository of Government funds in any amount, or is a financial institution which is an issuing and paying agent for U.S. savings bonds and savings notes: *Provided,* That any subcontractor below the first tier which performs construction work at the site of construction shall be required to file such a report if it meets requirements of (1), (2) and (4).

Filers with questions as to whether an employer (i.e., company) is a federal prime or subcontractor meeting the above criteria should refer to OFCCP's regulations at https://www.ecfr.gov/current/title-41/subtitle-B/chapter-60/part-60-1/subpart-A/section-60-1.7. Additional information on federal contractor status may also be found on OFCCP's website at https://www.dol.gov/agencies/ofccp or by contacting OFCCP directly at https://www.dol.gov/agencies/ofccp/contact.

3. WHEN TO FILE

The 2024 EEO-1 Component 1 data collection is scheduled to open on Tuesday, May 20, 2025. **The deadline to file the 2024 EEO-1 Component 1 report(s) is Tuesday, June 24, 2025**. The final opening and deadline dates will be posted on the EEOC's dedicated website for its EEO-1 Component 1 data collection at www.eeocdata.org/eeo1 and on the EEOC's public website at www.eeoc.gov. Filers are strongly advised to visit www.eeocdata.org/eeo1 for the latest updates regarding the 2024 EEO-1 Component 1 data collection, including any updates regarding the deadline to submit and certify reports. Once data collection closes for a particular reporting cycle, employers are not able to correct and/or update any workforce demographic data reported during that cycle.

Further, an employer that fails to submit required EEO-1 Component 1 report(s) during any reporting cycle(s) is not permitted to submit any such reports during subsequent reporting cycle(s). For example, an eligible employer that failed to submit a 2023 EEO-1 Component 1 report(s) is not permitted submit that report during the 2024 EEO-1 Component 1 data collection cycle.

[21] 41 CFR 60-1.7(a). *See* https://www.ecfr.gov/current/title-41/subtitle-B/chapter-60/part-60-1/subpart-A/section-60-1.7.
[22] *Id.*
[23] *Id.*
[24] 41 CFR 60-1.5. *See* https://www.ecfr.gov/current/title-41/subtitle-B/chapter-60/part-60-1/subpart-A/section-60-1.5.

4. HOW TO FILE

The EEOC requires electronic submission of EEO-1 Component 1 report(s) through a web-based data collection application (i.e., portal) referred to as the *EEO-1 Component 1 Online Filing System (OFS)*. The *OFS* is accessible at www.eeocdata.org/eeo1.

All individuals responsible for filing an employer's reports will be required to have an individual user account associated with their email address to access the *EEO-1 Component 1 Online Filing System (OFS)*. To create a new account, visit www.eeocdata.org/eeo1/signin and select "Create an Account." New account holders for employers (i.e., companies) that have filed in prior year reporting cycles can link their individual user account to the employer record using the employer's "OFS Company ID" and "Employer PIN," which will be sent to them via email prior to the opening of data collection. Account holders for employers that have never filed before can register a new employer by selecting "Add Employer" on the "My Employer List" screen. Returning *OFS* account holders who created their account during or after the 2019/2020 data collection cycle, can sign in using their existing username (i.e., email address) and password. Returning account holders may be required to reset their password when logging in to the *OFS* if the account holder has not accessed the *OFS* in the past 90 days. Account holders ***must*** submit the employer's workforce demographic data electronically in the web-based portal (i.e., *OFS*) through either (1) manual data entry[25] or (2) data file upload.[26] The employer's certifying official must then certify the EEO-1 Component 1 report(s) in the *OFS*.

The EEOC will only accept EEO-1 Component 1 report(s) submitted and certified through the agency's *EEO-1 Component 1 Online Filing System (OFS)*. The EEOC will ***not*** accept reports submitted via paper or through other non-*OFS* electronic means (e.g., email, CD-ROM). The EEOC will consider filers submitting reports outside of the *OFS* to be non-compliant for purposes of their mandatory EEO-1 Component 1 filing obligation.

5. WHAT IS AN ESTABLISHMENT

An establishment is generally a single physical location where business is conducted or where services or industrial operations are performed (e.g., factory, mill, store, hotel, movie theater, mine, farm, airline terminal, sales office, warehouse, or central administrative office).[27] Establishments at different physical locations must be reported as ***separate*** establishments even if conducting the same business or performing the same services or industrial operations. In addition, employers should only include establishments located in the 50 United States and the District of Columbia.[28]

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[25] The "manual data entry" option requires directly entering workforce demographic data into the EEOC's web-based data collection application referred to as the *EEO-1 Component 1 Online Filing System (OFS).*

[26] The "data file upload" option requires uploading a data file using the EEOC's 2024 EEO-1 Component 1 Data File Upload Specifications which may be found online at www.eeocdata.org/eeo1.

[27] *See* Frequently Asked Question 2 (What is an establishment?) at https://www.census.gov/naics/ for the U.S. Census Bureau's North American Industry Classification System (NAICS) definition.

[28] Employers should not include establishments located in Puerto Rico, the Virgin Islands, or other American protectorates. However, foreign-based and/or foreign-owned employers ***must*** report for eligible establishments located in the 50 United States and the District of Columbia. If a foreign-based and/or foreign-owned employer has a United States-based headquarters, the U.S. based headquarters is responsible for filing as a multi-establishment filer (i.e., multi-establishment employer) for all the employer's establishments located in the 50 United States and the District of Columbia. If a foreign-based and/or foreign-owned employer does ***not*** have a headquarters based in the 50 United States or the District of Columbia, one of its establishments located in the U.S. *may* file on behalf of all the employer's establishments as a multi-establishment filer (i.e., multi-establishment employer) but is not required to do so. Otherwise, each establishment must file its own EEO-1 Component 1 report with the EEOC.

6. REQUIRED REPORT FOR A SINGLE-ESTABLISHMENT EMPLOYER

The EEOC defines a single-establishment employer as an employer with a single establishment where business is conducted or where services or industrial operations are performed. A single-establishment employer is also referred to as a single-establishment filer for purposes of the EEO-1 Component 1 data collection. A single-establishment employer is required to submit and certify only one EEO-1 Component 1 report (i.e., a "Single-Establishment Employer Report").

Single-Establishment Employer Report[29]

An employer conducting business or performing services or industrial operations at ***only one*** establishment is required to submit and certify one EEO-1 Component 1 report. This report is referred to as a "Single-Establishment Employer Report." The "Single-Establishment Employer Report" must include demographic data for all the employer's employees categorized by job category and sex and race or ethnicity.

7. REQUIRED REPORTS FOR A MULTI-ESTABLISHMENT EMPLOYER

The EEOC defines a multi-establishment employer as an employer with ***more than one*** establishment where business is conducted or where services or industrial operations are performed. A multi-establishment employer is also referred to as a multi-establishment filer for purposes of the EEO-1 Component 1 data collection. A multi-establishment employer is required to submit and certify ***all*** the following three types of EEO-1 Component 1 reports (i.e., "Consolidated Report," "Headquarters Report," "Establishment-Level Report(s)").[30]

Headquarters Report[31]

A multi-establishment employer is required to submit and certify a "Headquarters Report." The "Headquarters Report" must include demographic data for all the employer's employees at its headquarters (i.e., main office site), as well as any remote employees who report to the employer's headquarters, categorized by job category and sex and race or ethnicity.[32]

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[29] The "Single-Establishment Employer Report" was formerly referred to as a "Type 1" single establishment report."

[30] Multi-establishment employers, including, for example, parent corporations and their subsidiary holdings, must report workforce demographic data for all employees at each establishment and subsidiary establishment(s). A multi-establishment employer is not permitted to report its entire workforce on the employer's "Headquarters Report." Workforce demographic data for non-headquarters establishments must be reported separately for each establishment on the "Establishment-Level Report(s)."

[31] The "Headquarters Report" was formerly referred to as a "Type 3" headquarters report."

[32] Please note that if an employer's headquarters is a holding company, or similar type entity, with zero employees, it is still necessary for the employer to file as a multi-establishment employer. The filing requirements for the EEO-1 Component 1 data collection are based on employee counts across all establishments of the employer (i.e., a total of 100 or more employees and 50 or more employees for federal contractors meeting certain criteria). For example, if a holding company has non-headquarters establishments which total 100 or more employees (or 50 or more employees for federal contractors meeting certain criteria), the holding company must file as a multi-establishment employer and submit a "Headquarters Report" for the holding company and "Establishment-Level Report" for each of its establishments.

Establishment-Level Report[33]

A multi-establishment employer is required to submit and certify an "Establishment-Level Report" for ***each*** non-headquarters establishment of the employer regardless of the number of employees at the establishment. The "Establishment-Level Report" must include demographic data for all the employer's employees at each establishment, as well as any remote employees who report to the establishment, categorized by job category and sex and race or ethnicity.[34]

Multi-establishment employers are not required to file a separate "type" of establishment report based on the size of an individual non-headquarters establishment (i.e., establishments with 50 or more employees or establishments with fewer than 50 employees).[35] Rather, in place of the former "Type 4" and "Type 8" establishment reports and the former "Type 6" establishment list report, filers must submit an "Establishment-Level Report." All multi-establishment employers will use an "Establishment-Level Report" to submit establishment-level employee demographic data for each of their non-headquarters establishment(s) regardless of size.

With the implementation of the "Establishment-Level Report", a multi-establishment employer no longer has to take the additional step of counting employees in each establishment to determine whether to file a "Type 4" or "Type 8" establishment report. Multi-establishment employers are still required to submit a "Headquarters Report" and a "Consolidated Report." However, all individual "Consolidated Reports" for multi-establishment employers are auto-populated and auto-generated with data from the employer's "Headquarters Report" and each "Establishment-Level Report" within the *OFS*.[36]

Consolidated Report[37]

A multi-establishment employer is required to submit and certify a "Consolidated Report." The "Consolidated Report" must include workforce demographic data for all the multi-establishment employer's employees (i.e., all employees at the employer's headquarters and all its establishments) categorized by job category and sex and race or ethnicity. In other words, the total number of employees in the "Headquarters Report" ***plus*** the total number of employees in all the multi-establishment employer's "Establishment-Level Report(s)" ***must*** equal the total number of employees in the "Consolidated Report."

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[33] The "Establishment-Level Report" replaces the former "Type 4" and "Type 8" non-headquarters establishment reports and the former "Type 6" establishment list report. A non-headquarters establishment report is now referred to as an "Establishment-Level Report."

[34] Please note that if establishments are located at the same address (including, for example, suite number) ***and*** have ***both*** the same NAICS code ***and*** the same EIN, the establishments ***must*** be combined into a single "Establishment-Level Report." Such establishments are considered one establishment for purposes of EEO-1 Component 1 reporting.

[35] Please note that if during the employer's selected "workforce snapshot period," an establishment had zero employees, the employer should not file an "Establishment-Level Report" for that establishment. If the establishment appears in the employer's list of establishments from the previous reporting cycle, the filer should delete the establishment with zero employees from its list.

[36] Please note that the 2024 EEO-1 Component 1 Data File Upload Specifications will allow users to indicate an "Establishment-Level Report" by using a Status Code (Field 2) of either 4 or 8 (i.e., filers can leverage either code to indicate an "Establishment-Level Report" when using the data file upload option to report workforce demographic data). Selecting either Status Code (4 or 8) will have the identical effect of indicating that a report is an "Establishment-Level Report."

[37] The "Consolidated Report" was formerly referred to as a "Type 2" consolidated report.

With the discontinuation of the "Type 6" establishment list report,[38] a "Consolidated Report" is auto-populated and auto-generated with data from a multi-establishment employer's "Headquarters Report" and "Establishment-Level Report(s)" within the EEOC's electronic, web-based *EEO-1 Component 1 Online Filing System (OFS)* for all multi-establishment employers.[39]

Although a "Consolidated Report" is auto-populated and auto-generated in the *OFS*, a multi-establishment employer is ***still*** responsible for ensuring that the total employee count in the "Consolidated Report" matches the total number of employees the filer is reporting in its "Headquarters Report" and "Establishment-Level Report(s)" ***prior*** to certification. An employer must also ensure that it has reported for ***all*** its establishments. For example, if an employer has 200 establishments, but only reported data for 150 establishments, the "Consolidated Report" will only reflect the data for establishments submitted by the filer (i.e., 150). It is the responsibility of the employer to ensure that data for each of its establishments has been submitted and that the "Consolidated Report" matches that number.

8. WORKFORCE SNAPSHOT PERIOD

Workforce demographic data (i.e., employee data by job category and sex and race or ethnicity) must include all full-time ***and*** part-time employees who were employed during an employer-selected pay period (i.e., workforce snapshot period) in the fourth quarter (i.e., October 1 through December 31) of the reporting year.

The workforce snapshot period for the 2024 EEO-1 Component 1 report would be an employer-selected pay period between October 1, 2024 and December 31, 2024.[40]

Employees must be counted by sex and race or ethnicity within the 10 specified job categories. Each employee must be counted in ***only one*** of the job category, sex, race, and ethnicity classifications (i.e., the employee must not be included more than once in a "Single-Establishment Employer Report" or in a "Headquarters Report" and "Establishment-Level Report(s)."

If an employee was employed during the selected workforce snapshot period, then the employer must include the employee in its reporting even if the employee resigned or was terminated during or ***after*** the selected workforce snapshot period. If the employee was employed at any time during the selected workforce snapshot period, then the employee must be reported. An employer is not required to report employees who were ***not*** employed at any time during the selected workforce snapshot period.

Beginning with 2023 EEO-1 Component 1 data collection, an employer that meets the employee

[38] The former "Type 6" establishment list report contained the name and address of *each* non-headquarters establishment with fewer than 50 employees, as well as the total number of employees at each establishment. A multi-establishment employer choosing the option to submit a "Type 6" establishment list report, instead of a "Type 8" report, was required to *manually* enter employee demographic data by job category and sex and race or ethnicity into the accompanying "Type 2" consolidated report for every employee of every establishment included on the "Type 6" establishment list report.

[39] The "Consolidated Report" will be generated by the *EEO-1 Component 1 Online Filing System (OFS)* once the "Headquarters Report" and all "Establishment-Level Report(s)" have been completed by the filer.

[40] An employer is not required to use the same workforce snapshot period (i.e., months, days) from the fourth quarter of the reporting year that it selected in previous reporting cycles. For example, an employer that selected a workforce snapshot period with the month/days of October 1 through October 14 for the 2023 EEO-1 Component 1 reporting cycle may select different month/days (e.g., November 15 through November 30) for the 2024 EEO-1 Component 1 reporting cycle.

threshold for EEO-1 Component 1 reporting purposes at ***any time*** during the fourth quarter (i.e., October 1 through December 31) of the reporting year, may ***not*** select a workforce snapshot period where it falls below the threshold in an effort to avoid the filing requirement.

9. REPORTING BY RACE OR ETHNICITY

Voluntary self-identification by employees is the preferred method of identifying the race and/or ethnicity information required for the EEO-1 Component 1 report.

The basic principles for race and ethnicity self-identification for purposes of the EEO-1 Component 1 report are:

(1) Offer employees the opportunity to self-identify.

(2) Provide a statement about the voluntary nature of this inquiry for employees.

For example, language such as the following may be used (employers may adapt this language):

"The employer is subject to certain governmental recordkeeping and reporting requirements for the administration of civil rights laws and regulations. In order to comply with these laws, the employer invites employees to voluntarily self-identify their race or ethnicity. Submission of this information is voluntary and refusal to provide it will not subject you to any adverse treatment. The information obtained will be kept confidential and may only be used in accordance with the provisions of applicable laws, executive orders, and regulations, including those that require the information to be summarized and reported to the federal government for civil rights enforcement. When reported, data will not identify any specific individual."

If an employee declines to self-identify their race and/or ethnicity, employment records or observer identification may be used. Where records are maintained, they should be kept separately from the employee's basic personnel file or other records available to those responsible for personnel decisions.

Definitions of the race and ethnicity categories used by the EEOC for purposes of EEO-1 Component 1 reporting are found below in Appendix B of the Instruction Booklet. Instructions for assigning employees into these categories are also provided in Appendix B.[41]

10. REPORTING BY SEX

The EEO-1 Component 1 data collection provides only binary options (i.e., male or female) for reporting employee counts by sex, job category, and race or ethnicity.

[41] Please note that race and ethnicity designations, as used by the EEOC for the EEO-1 Component 1 report, do not denote scientific definitions of anthropological origins. In addition, such designations do not control who is protected by Title VII's prohibitions against employment discrimination based on race or national origin.

11. CLASSIFICATION OF EMPLOYEES INTO JOB CATEGORIES

The 10 major job categories used by the EEOC for purposes of EEO-1 Component 1 reporting are found below in Appendix C of the Instruction Booklet. Each job category includes a brief description of the skills and training required for occupations in that category and examples of the job titles that fit each category. The examples provided are illustrative and not intended to be exhaustive of all job titles in a job category. These job categories are primarily based on the average skill level, knowledge, and responsibility involved in each occupation within the job category. Employers should select the category which best reflects the job function performed by each employee.[42]

12. HOW TO REPORT NAICS CODES

The North American Industry Classification System (NAICS) code is used to identify the primary industry in which a business or an establishment operates. The industry represents the primary goods or services provided to the public and is very specific. For example, a business that provides IT technical support to its clients would be classified as 541519 (Other Computer Related Services), while a business that primarily provides software design or support services would be classified as 541512 (Computer Systems Design Services).

Businesses that operate in more than one location may have different industries assigned to their establishments. For example, a coffee company may have establishments for retail distribution of their products, establishments for roasting and processing the coffee beans, as well as establishments associated with warehousing supplies used by other aspects of the business' operations. In this example, each of these establishments would have a different NAICS code. Please note that if a business operates several industries at one establishment and thus, has several NAICS codes associated with that one location, the employer must provide the one NAICS code under which the largest number of employees work.

Each establishment must have an appropriate NAICS code associated with it. NAICS codes are updated by the Office of Management and Budget (OMB) every five years (i.e., in years that end in 2 or 7). For the 2024 EEO-1 Component 1 report(s), the 2022 NAICS codes should be used. To identify the correct NAICS code for each establishment, an employer can search using keywords for its business using the U.S. Census Bureau NAICS Search Tool at https://www.census.gov/naics/.

13. HOW TO REPORT EMPLOYER IDENTIFICATION NUMBER (EIN)

The Employer Identification Number (EIN) is a unique, nine-digit identifier used to identify business entities in the U.S. It is assigned by the IRS and is needed by all businesses that have employees and certain others with no employees. For purposes of EEO-1 Component 1 reporting, an EIN ***must*** be provided for a single-establishment employer and a multi-establishment employer's headquarters and each of its establishments.

However, if establishments are located at the same address (including, for example, suite number) ***and***

[42] For additional assistance, employers should refer to the EEO-1 Component 1 Job Classification Guide, located within the *OFS*, that maps Standard Occupational Classifications (SOC), occupational titles, and three-digit Census Job Codes to the EEO-1 Component 1 job categories.

have ***both*** the same NAICS code ***and*** the same EIN, the establishments ***must*** be combined into a single "Establishment-Level Report." Such establishments are considered one establishment for purposes of EEO-1 Component 1 reporting.

Please note that if an establishment (e.g., subsidiary) has a different EIN than, for example, its "parent" company, the establishment cannot file its EEO-1 Component 1 report separately from its "parent" company. The "parent" company's headquarters is responsible for filing "Establishment-Level Report(s)" for all its establishments, even if the establishments have different EINs from the "parent" company.[43]

14. HOW TO REPORT UNIQUE ENTITY ID FOR FEDERAL CONTRACTORS (Only applicable for employers that are federal contractors.)

On April 4, 2022, the federal government stopped using the "Data Universal Numbering System" (DUNS) to uniquely identify entities doing business with the federal government (i.e., federal contractors).[44] The "Unique Entity ID" (UEI) created in SAM.gov (i.e., www.sam.gov) is now the official identifier for federal contractors.[45]

For purposes of the EEO-1 Component 1 data collection, eligible federal contractors no longer provide the "DUNS Numbers" associated with their headquarters and/or establishment(s) in the *EEO-1 Component 1 Online Filing System (OFS)* or in any data files uploaded to the *OFS*. Employers (i.e., single-establishment and multi-establishment employers) that are federal contractors ***must*** instead provide UEIs. For example, a multi-establishment employer ***must*** provide UEIs for any headquarters and/or establishment(s) which are federal contractors.[46]

15. HOW TO REPORT REMOTE/TELEWORK EMPLOYEES

Employees who work remotely and/or telework must be included in an employer's EEO-1 Component 1 report(s) by the specific establishment to which the employees report. **Under no circumstances, should an employee's home address be reported on any EEO-1 Component 1 submission or report.**

The temporary closure of a physical work site will normally not affect how employees are counted on the EEO-1 Component 1 report. The fact that most, or even all, employees are teleworking will typically not change EEO-1 Component 1 reporting if the employees continue to be assigned to, or report to, a physical location or establishment. Those employees should be included on the "Headquarters Report" or "Establishment-Level Report" for the physical location to which they are assigned or report. If the employer has closed an establishment and reassigned an employee

[43] Please note that a "parent" company, holding company, or other such corporate-type entity must file as a multi-establishment employer (i.e., multi-establishment filer) for itself as well as any other commonly owned, controlled, managed, affiliated, or associated establishments (e.g., subsidiaries, holdings).
[44] Before April 4, 2022, the DUNS Number issued by Dun & Bradstreet was the official entity identifier used by the federal government.
[45] For more information on the federal government's transition to the Unique Entity ID (i.e., UEI), *see* https://www.gsa.gov/about-us/organization/federal-acquisition-service/technology-transformation-services/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update ; https://www.fsd.gov/gsafsd_sp?id=kb_article_view&sysparm_article=KB0041254&sys_kb_id=875189f21bee8d54937fa64ce54bcbaa&spa=1 and https://sam.gov/content/duns-uei.
[46] Please refer to the above section of the Instruction Booklet entitled "WHO MUST FILE" for federal contractor eligibility.

from the closed establishment to another location, the reassigned employee should be included at the establishment to which that employee reports or has been reassigned.

If a remote employee is not assigned to and does not report to any physical location on a permanent basis, the employee should be counted at the establishment to which the employee's manager reports or is assigned. If an employee does not report to an establishment and the employee's manager also does not report to an establishment, the employee (and their manager) should be included on the employer's "Headquarters Report."

If an employer operates entirely remotely and does not have any physical locations, not even a headquarters office, the employer should report the address where the business is legally registered, for example, a Post Office box in lieu of a physical address.

16. HOW TO REPORT EMPLOYEES AT CLIENT SITES

Workforce demographic data on employees working at client site locations must be included in an employer's EEO-1 Component 1 filing. For the 2024 EEO-1 Component 1 data collection, employers continue to have the option to report employees working at client sites either by (1) using the client site address as the location of the establishment or (2) reporting those employees at an establishment of the employer (i.e., non-client site).

Beginning with the 2025 EEO-1 Component 1 data collection, tentatively scheduled to open 2026, the EEOC intends to propose that employers will be required to report employees working at client site locations at the address of the client site. The address of the "client site" will serve as the location of the establishment for any such employees. Under the EEOC's intended proposal, employers will no longer have the option to report such employees at an establishment of the employer (i.e., non-client site).

17. HOW TO REPORT EMPLOYEES AT U.S. GOVERNMENT AND MILITARY LOCATIONS THAT ARE RESTRICTED FROM DISCLOSURE

A filer reporting employees located at a U.S. government or military site that is restricted from disclosure may enter only the city, state, and zip code for that establishment(s). In the address field for the establishment, the filer may enter either "SECRET LOCATION" or "CONFIDENTIAL LOCATION."

18. HOW TO REPORT AN ACQUISITION, SPINOFF, OR MERGER

If an employer has experienced an acquisition, spinoff, or merger since the last EEO-1 Component 1 reporting cycle, the employer must utilize the "Report Acquisition, Spinoff, or Merger" module in the *EEO-1 Component 1 Online Filing System (OFS)* to report any changes to the EEOC. The module will provide filers detailed guidance on how to accurately report such changes within the *OFS*.

In addition, answers are provided below to a series of frequently asked questions (FAQs) regarding the filing responsibilities of employers that experienced an acquisition, spinoff, or merger since

the last EEO-1 Component 1 reporting cycle.[47]

Filing Responsibilities of New Companies Created as the Result of a Merger

If a company/employer merged with another company/employer to create a new company/employer, certain filing obligations apply depending on when the merger was completed.

Merger Completed before or during the Fourth Quarter (i.e., October 1 through December 31) of the Reporting Year (i.e., 2024)

If the merger was completed *before* or *during* the fourth quarter (i.e., October 1 through December 31) of the reporting year (i.e., 2024) and the new company otherwise meets the filing eligibility requirements, the new company is responsible for submitting 2024 EEO-1 Component 1 data under a new "OFS Company ID" provided by the EEOC through the *EEO-1 Component 1 Online Filing System (OFS)*.

Merger Completed after the Fourth Quarter (i.e., October 1 through December 31) of the Reporting Year (i.e., 2024)

If the merger was completed *after* the fourth quarter (i.e., October 1 through December 31) of the reporting year (i.e., 2024) and the new company otherwise meets the filing eligibility requirements ***and has access*** to 2024 EEO-1 Component 1 data for a workforce snapshot period from the fourth quarter of the reporting year for one or more of the companies that merged, the new company is responsible for submitting 2024 EEO-1 Component 1 data under a new "OFS Company ID" provided by the EEOC through the *EEO-1 Component 1 Online Filing System (OFS)*.

If the newly created company is eligible to file ***and does not have access*** to 2024 EEO-1 Component 1 data for a workforce snapshot period from the fourth quarter of the reporting year for one or more of the companies that merged, the newly created company should note this in the "Certification Comments" within the *OFS*.

Filing Responsibilities of Companies which Acquired Another Company

If a company/employer acquired another company/employer, certain filing obligations apply depending on when the acquisition was completed.

Acquisition Completed before or during the Fourth Quarter (i.e., October 1 through December 31) of the Reporting Year (i.e., 2024)

If the acquisition was completed *before* or *during* the fourth quarter (i.e., October 1 through December 31) of the reporting year (i.e., 2024) and the acquiring company otherwise meets the

[47] As a general matter, when a company completes an acquisition, spinoff, or merger and does not have access to all or part of the required 2024 EEO-1 Component 1 data for an acquired, spun off, or former company, employers must note this in the "Certification Comments" within the *OFS*. Employers should preface any such comments with the phrase "Additional ASM Information:". Following this phrase, an employer must provide a statement identifying the company (companies) and/or establishments for which the employer does not have data as well as an explanation detailing why such data are not accessible for reporting purposes.

filing eligibility requirements, the acquiring company is responsible for submitting 2024 EEO-1 Component 1 data for itself and the newly acquired company.

Acquisition Completed after the Fourth Quarter (i.e., October 1 through December 31) of the Reporting Year (i.e., 2024)

If the acquisition was completed *after* the fourth quarter (i.e., October 1 through December 31) of the reporting year (i.e., 2024) and the acquiring company otherwise meets the filing eligibility requirements ***and has access*** to 2024 EEO-1 Component 1 data for a workforce snapshot period from the fourth quarter of the reporting year for the acquired company, the acquiring company is responsible for submitting 2024 EEO-1 Component 1 data for itself and the newly acquired company.

If the acquiring company is eligible to file ***and does not have access*** to 2024 EEO-1 Component 1 data for a workforce snapshot period from the fourth quarter of the reporting year for the acquired company, the acquiring company should note this in the "Certification Comments" within the *OFS*.

Filing Responsibilities of Companies which Completed a Spinoff

If a company/employer was spun off from another company/employer (e.g., a parent company), certain filing obligations apply depending on when the spinoff was completed.

Spinoff Completed before or during the Fourth Quarter (i.e., October 1 through December 31) of the Reporting Year (i.e., 2024)

If the spinoff was completed *before* or *during* the fourth quarter (i.e., October 1 through December 31) of the reporting year (i.e., 2024) and the spun off company otherwise meets the filing eligibility requirements, the spun off company is responsible for submitting 2024 EEO-1 Component 1 data for itself under its own "OFS Company ID."

Spinoff Completed after the Fourth Quarter (i.e., October 1 through December 31) of the Reporting Year (i.e., 2024)

If the spinoff was completed *after* the fourth quarter (i.e., October 1 through December 31) of the reporting year (i.e., 2024) and the spun off company otherwise meets the filing eligibility requirements ***and has access*** to its 2024 EEO-1 Component 1 data for a workforce snapshot period from the fourth quarter of the reporting year, the spun off company is responsible for submitting 2024 EEO-1 Component 1 data for itself under its own "OFS Company ID."

If the spun off company is eligible to file ***and does not have access*** to its 2024 EEO-1 Component 1 data for a workforce snapshot period from the fourth quarter of the reporting year, the spun off company should note this in the "Certification Comments" within the *OFS*.

19. REPORTING PROCEDURES FOR THIRD-PARTY HUMAN RESOURCE ORGANIZATIONS AND THEIR CLIENT EMPLOYERS[48]

Client Employers and Third-Party Human Resource Organizations

Clients of Professional Employer Organizations (PEOs), Administrative Services Organizations (ASOs), Human Resource Outsourcing organizations (HROs), and similar third-party human resource organizations are referred to as "client employers" by the EEOC for purposes of the EEO-1 Component 1 data collection. A "client employer" is an employer that uses the services of a third-party human resource organization (e.g., PEO, HRO, ASO). These services can include preparing and filing the employer's EEO-1 Component 1 report(s) on the employer's behalf. The employer using these services is referred to as a "client employer" of the third-party human resource organization (e.g., PEO, HRO, ASO) that is filing on the employer's behalf.

Client Employer Registration

Every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) chooses to file is required to have its own *OFS* employer registration under the client employer's EIN (i.e., Employer Identification Number). The employer registration contains basic contact and location information and resides within the *EEO-1 Component 1 Online Filing System (OFS)*. This employer registration must be for the client employer itself and not the third-party human resource organization filing on the client employer's behalf. Additionally, all filers (e.g., client employers, PEOs, HROs, ASOs) are required to have an individual-level user account to gain access to the *EEO-1 Component 1 Online Filing System (OFS).*[49]

Filing on Behalf of a Client Employer

A third-party human resource organization (e.g., PEO, HRO, ASO) is not permitted to file for the eligible client employer as an "establishment" of the third-party human resource organization. In other words, a PEO, HRO, ASO or other third-party human resource organization (e.g., PEO, HRO, ASO) may not submit an EEO-1 Component 1 report(s) that includes itself and a client employer and/or a report that includes multiple client employers.

Additionally, third-party human resource organizations (e.g., PEOs, HROs, ASOs) are ***not permitted*** to file only establishment report(s) for a client employer. Third-party human resource organizations choosing to file on behalf of a single-establishment client employer (i.e., "single-establishment employer") or a multi-establishment client employer (i.e., "multi-establishment employer") must file all the reports that a client employer filing on its own behalf would be required to file.

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[48] Third-party human resource organizations and their current or former client employers should refer to Appendix D of the Instruction Booklet for additional information on their filing responsibilities.

[49] A third-party human resource organization (e.g., PEO, HRO, ASO) may still prepare and file an EEO-1 Component 1 report on behalf of eligible client employers. After the eligible client employer creates its company registration record, the client employer can invite its third-party human resource organization (e.g., PEO, HRO, ASO) to create an associated user account. However, a third-party human resource organization (e.g., PEO, HRO, ASO) is ***not*** permitted to certify a client employer's EEO-1 Component 1 report. An official (i.e., employee) of the client employer (i.e., "certifying official") ***must*** certify the client employer's EEO-1 Component 1 report. The client employer's "certifying official" ***cannot*** be from the third-party human resource organization (e.g., PEO, HRO, ASO).

A third-party human resource organization (e.g., PEO, HRO, ASO) is also not permitted to file EEO-1 Component 1 report(s) on behalf of a client employer for only a ***partial number*** of the client employer's employees. In such a situation, the client employer, not the third-party human resource organization, must file EEO-1 Component 1 report(s) for ***all*** its employees.

Upload of Data File on Behalf of a Client Employer

A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to submit data file uploads on behalf of eligible client employers must do so separately for each client employer. The bulk or consolidated upload of data files for multiple client employers by a third-party human resource organization is ***not*** permitted. Every eligible client employer on behalf of which a third-party human resource organization is choosing to file must have a separate data file upload under that client employer's registration in the *EEO-1 Component 1 Online Filing System (OFS).*

Filing Responsibility of Client Employers

It is the responsibility of a client employer, if eligible, to ensure an EEO-1 Component 1 report is filed on its behalf. If a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to prepare and/or file the client employer's EEO-1 Component 1 report, the client employer should contact its third-party human resource organization to ensure it has the necessary information to file. It is the responsibility of the client employer to ensure an EEO-1 Component 1 report is filed on its behalf.[50]

If a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing ***not*** to file an eligible client employer's 2024 EEO-1 Component 1 report, it is the responsibility of a client employer to ensure a report is filed for its company.

Client Employer Certification

A third-party human resource organization (e.g., PEO, HRO, ASO) is ***not*** permitted to certify a client employer's EEO-1 Component 1 report. An official (i.e., employee) of the client employer (i.e., "Certifying Official") ***must*** certify the client employer's EEO-1 Component 1 report. The client employer's "Certifying Official" ***cannot*** be from the third-party human resource organization (e.g., PEO, HRO, ASO).

Third-Party Human Resource Organization Filing as an Employer

A third-party human resource organization (e.g., PEO, HRO, ASO) that is eligible to file an EEO-1 Component 1 report in its own capacity as an employer ***must*** submit a report that includes only the third-party human resource organization and its own establishments and employees. The third-party human resource organization's own report ***must not*** include any of its client employers or

[50] Every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) chooses to file is required to have its own *OFS* employer registration under the client employer's EIN (i.e., Employer Identification Number). The employer registration contains basic contact and location information and resides within the *EEO-1 Component 1 Online Filing System (OFS).* This employer registration must be for the client employer itself and not the third-party human resource organization filing on the client employer's behalf. Additionally, all filers (e.g., client employers, PEOs, HROs, ASOs) are required to have an individual-level user account to gain access to the *EEO-1 Component 1 Online Filing System (OFS).*

client employers' establishments.

Requests by Client Employers for Prior Reports Filed by a Third-Party Human Resource Organization

As in prior data collection years, the EEOC cannot provide client employers with any prior year EEO-1 Component 1 report(s) filed on behalf of the client employer by a third-party human resource organization (e.g., PEO, HRO, ASO). Client employers must contact the third-party human resource organization (e.g., PEO, HRO, ASO) to obtain any such reports.

Processing of Client Employer Establishment Deletions/Registrations by the EEOC

In prior EEO-1 Component 1 data collection years, and upon request by a third-party human resource organization (e.g., PEO, HRO, ASO), the EEOC and its EEO-1 Component 1 data collection contractor manually processed client employer establishment deletions and employer registrations, including bulk deletions and registrations. The EEOC and its contractor will no longer process such deletions and registrations for an individual third-party human resource organization (e.g., PEO, HRO, ASO) and/or its current or former client employers.

20. OFFICIAL CERTIFICATION OF SUBMISSION

Once an employer's reports have been completed, the name and contact information for the employer's "Certifying Official" and the employer's "Primary Point of Contact (POC) for EEO-1 Component 1 Reporting" (i.e., "Primary POC") for receiving communications from the EEOC regarding the report must be provided in the *OFS*.[51] The "Certifying Official" will certify to the below statement within the *OFS*.

> "*I certify that the information, including any workforce demographic data, provided in this report is correct and true to the best of my knowledge and was prepared in conformity with the directions set forth in the form and accompanying instructions*."

Below this statement, the EEOC provides written notice to the "Certifying Official" that "[k]nowingly and willfully false statements on this report are punishable by law, US Code, Title 18, Section 1001."

Please note that if an employer fails to complete the ***final*** step to "Certify EEO-1 Component 1 Report(s)" within the *EEO-1 Component 1 Online Filing System (OFS)*, the status of the employer's filing will be considered "incomplete" by the EEOC.[52]

[51] Employers are permitted to have the same individual from the employer serve as both the "Certifying Official" and the "Primary Point of Contact (POC) for EEO-1 Component 1 Reporting" (i.e., "Primary POC") for the employer's "Official Certification of Submission." However, the individual serving as the "Certifying Official" ***must*** be an official (i.e., employee) of the employer. For example, employers using a third-party human resource organization (e.g., PEO, HRO, ASO) are ***not*** permitted to have an official (i.e., employee) of the third-party human resource organization certify an employer's EEO-1 Component 1 report(s). An official of the employer ***must*** certify the employer's EEO-1 Component 1 report(s).

[52] Please note that even if the employer has submitted data for each of its required reports, the filing will not be considered complete by the EEOC until the employer certifies its submission in the *EEO-1 Component 1 Online Filing System (OFS).*

21. *OFS* INSTRUCTIONS FOR NEW AND RETURNING EMPLOYERS AND ACCOUNT HOLDERS

Employers Filing for the First Time

- All individuals responsible for filing the employer's reports will be required to create an individual user account associated with their email address to access the *EEO-1 Component 1 Online Filing System (OFS)*. This can be done by visiting www.eeocdata.org/eeo1/signin and selecting "Create an Account."

- After creating an account and signing in to the *EEO-1 Component 1 Online Filing System (OFS)*, account holders can register a new employer (i.e., company) by selecting "Add Employer" on the "My Employer List" screen.[53]

- When adding a new employer, account holders will follow a series of prompts to determine an employer's eligibility to file. If eligibility is determined, account holders will be asked to provide the: (1) Employer Identification Number (EIN);[54] (2) 2022 North American Industry Classification System (NAICS) code;[55] (3) employer name (i.e., company name); and (4) employer headquarters address.

- During the new employer registration process, account holders will be provided with an "OFS Company ID" and "Employer PIN." The "OFS Company ID" and "Employer PIN" can be shared with other *OFS* account holders to link their "Individual User Account" with the employer profile.

- After registering for an account, account holders may log in to the account using their username (i.e., email address) and their password created in the account creation process. If after linking an employer to a user account, the employer is not listed on the "My Employer List," please contact the Filer Support Team via the *Message Center*.

Employers that have Previously Filed

Accessing an Employer's Profile to Begin Submitting Reports

All individuals responsible for filing the employer's reports will be required to create an individual user account associated with their email address to sign in to the *EEO-1 Component 1 Online Filing System (OFS)* to access employer report(s) (formerly referred to as company records) and/or submit EEO-1 Component 1 report(s).

Returning Users

Account holders may sign in to the *EEO-1 Component 1 Online Filing System (OFS)* by visiting www.eeocdata.org/eeo1/signin and entering the email address and password

[53] After creating an account, users can communicate with the Filer Support Team via the online EEO-1 Component 1 *Message Center* at www.eeocdata.org/eeo1 and access supplementary helpful resources, if needed.
[54] If the employer's EIN is associated with an existing EEO-1 Component 1 employer (i.e., company) report(s), the "New Employer Registration" process cannot be completed. Please follow the instructions within the *OFS* to receive assistance from the Filer Support Team through the online *Message Center* at www.eeocdata.org/eeo1.
[55] To identify the correct 2022 NAICS code for each establishment, an employer can search using keywords for its business using the U.S. Census Bureau NAICS Search Tool at www.census.gov/naics/.

created beginning with the 2019/2020 EEO-1 Component 1 data collection cycle. Account holders may be prompted to reset their password before proceeding.[56] Account holders who do not know their password should select "Forgot Password."

New Account Holders for Employers which have Previously Filed

New individuals responsible for filing reports for employers which have previously filed will be required to create an individual user account associated with their email address to access the *EEO-1 Component 1 Online Filing System (OFS)*. This can be done by visiting www.eeocdata.org/eeo1/signin and selecting "Create an Account." After creating an account and logging in to the *OFS*, new account holders can link their individual user account to an employer by selecting "Add Employer" on the "My Employer List" screen and entering the "OFS Company ID" and "Employer PIN" provided on the employer's annual filing notifications sent via email prior to the opening of the 2024 EEO-1 Component 1 data collection.

If an account holder does not have the "OFS Company ID" and "Employer PIN," they should obtain this information from their employer's certifying official and enter it into the *OFS*. If the account holder does not have access to the "OFS Company ID" and "Employer PIN," they should proceed in the *OFS* to answer a series of additional prompts. If the employer has previously filed an EEO-1 Component 1 report, the account holder will be taken to a "Change of Contact" form in the *OFS*.[57] Account holders will be asked to provide the following in the "Change of Contact" form:

- First Name, Last Name, Title, Phone Number, and Email Address of the person requesting the change of contact;
- Employer Name and EIN;
- OFS Company ID (if known);
- First Name, Last Name, Title, Phone Number, and Email Address of the new employer (i.e., company) contact;
- A verification letter in PDF format on the employer's letterhead (i.e., company's letterhead) from an authorized employer (i.e., company) representative approving this change (e.g., CEO, President, General Counsel, CFO, Controller, Vice President of Human Resources) is required.

Accessing Prior Year Filed Reports

EEO-1 Component 1 reports will be available in the *EEO-1 Component 1 Online Filing System (OFS)* for all reports filed beginning with the 2015 EEO-1 Component 1 data collection.[58] Select the employer in the "My Employer List" to access the "Employer Dashboard," and click on "Historic EEO-1 Component 1 Reports" to download any available prior year reports.

[56] Please note that account holders are required to reset their password every 90 days.
[57] Please note that a "Change of Contact" request must be reviewed by the EEO-1 Component 1 Filer Support Team and may take up to 5–7 business days to be approved.
[58] Report availability is dependent on the employer's filing history.

Adding/Changing an Employer's Point of Contact (POC)[59]

Account Holders Who Are Linked to an Employer in the OFS

Account holders whose accounts are linked to an employer in the *EEO-1 Component 1 Online Filing System* (*OFS*) can update the employer's contact by selecting the appropriate employer from the "My Employer List" screen. On the "Employer Dashboard" page, select the "Confirm Employer Contacts" step. To add a new employer contact, select "Add New Contact." To update or delete an existing employer contact, select "Edit/Delete" next to the appropriate contact.

Account Holders Who Are Not Linked to an Employer in the OFS

If an individual needs to update an employer's point(s) of contact (POC(s)) and their user account is not linked to an employer in the *EEO-1 Component 1 Online Filing System (OFS)*, the individual can visit www.eeocdata.org/eeo1 and log in to their user account or select "Get Started" to create a user account. Once logged in, account holders should select "Add Employer" on the "My Employer List" screen. Account holders should follow the prompts to link their individual user account to the employer. After successfully linking to the employer, the account holder can select the employer on the "My Employer List" screen. On the "Employer Dashboard" page, select the "Confirm Employer Contacts" step. To add a new employer contact, select "Add New Contact" to update or delete an existing employer contact, select "Edit/Delete" next to the appropriate contact.

Saving Entries within the OFS

As an account holder advances from one screen to another, the *EEO-1 Component 1 Online Filing System (OFS)* saves their additions/deletions/changes as they click "Next," "Save," "Confirm," or "Submit." An account holder must select "Next," "Save," "Confirm," or "Submit" and advance to the next page to save their additions/deletions/changes. Otherwise, they will need to re-enter any additions/deletions/changes if they navigate away from the *OFS* before clicking "Next," "Save," "Confirm," or "Submit."

Correcting Establishment Information in the OFS[60]

Most employer information, including an EIN, can be edited in the *EEO-1 Component 1 Online Filing System (OFS)*. "OFS Company ID" and "HQ/Establishment-Level Unit ID" are the only exceptions – these cannot be edited by account holders. To update employer information, log in to the *OFS*, and select an employer from "My Employer List" screen. On the "Employer Dashboard" page, select the "Confirm Employer Details" step. Follow the prompts within this step to confirm or update employer information. The 2024 EEO-1 Component 1 User's Guide, which will be available beginning on Tuesday, May 20, 2025 (i.e., the opening of the 2024 EEO-1 Component 1 data collection), also has additional helpful technical information on how to edit employer information, if wanted by a filer.

[59] Please note that an employer may have more than one point of contact (POC) in the *OFS*. The EEOC strongly encourages employers to include more than one person as a point of contact to ensure the employer receives critical notifications about the EEO-1 Component 1 data collection.

[60] Please note that once data collection closes for a particular reporting cycle, employers are not able to retroactively correct and/or update any workforce demographic data reported during that cycle.

The supplementary technical user's guide can be accessed from the "Resource" page on the "My Employer List" within the *OFS* or by clicking the folder icon on the top of the screen.

Finishing Required Filing Steps in the OFS

As account holders complete each step of the process on the "Employer Dashboard," each step will change from "Go →" to "Complete." After the "Report EEO-1 Component 1 Data (Manual Entry or Data File Upload)" is shown as "Complete," the "Review EEO-1 Component 1 Reports" and the "Certify EEO-1 Component 1 Reports" steps will show the "Go →" button. Employers should review their report(s) to ensure data accuracy. When the "Certify EEO-1 Component 1 Reports" displays "Go →," select that step to complete the certification process. Account holders will then proceed to a screen to enter "Certifying Official" information and certify the EEO-1 Component 1 report(s). Account holders will receive an email indicating that the EEO-1 Component 1 report(s) was certified.

Saving/Printing a Copy of Submitted/Certified EEO-1 Component 1 Reports

After certification, the "Employer Dashboard" will display "Thank you for completing the EEO-1 Component 1 report for 2024." Account holders may save and/or print a PDF copy of their submitted and certified EEO-1 Component 1 report(s) by selecting "Report" on this screen.

22. *OFS* REQUIRED FILING INFORMATION

As part of the EEO-1 Component 1 filing process, in addition to submitting workforce demographic data if required to do so, an employer is required to provide within the *EEO-1 Component 1 Online Filing System (OFS)* certain identifying information on the employer and any establishments being reported. The employer must also complete a set of questions to determine whether it meets the threshold eligibility requirements to submit EEO-1 Component 1 workforce demographic data. Additionally, all employers must indicate whether the employer and/or any headquarters or non-headquarters establishments are federal contractors for purposes of EEO-1 Component 1 reporting.

The information provided by an employer in the sections and sub-sections discussed below will be included in the final certified downloadable employer's report(s) generated by the *OFS* (i.e., a "Single-Establishment Employer Report" for single-establishment employers and a "Consolidated Report," "Headquarters Report," and "Establishment-Level Report(s)" for multi-establishment employers).[61] Please note that all employers may preview and review ***uncertified*** PDF versions of their reports ***prior*** to the employer's official certification of the submission to the EEOC.

[61] Appendix E of the Instruction Booklet contains a "sample" of an EEO-1 Component 1 report(s) generated by the EEOC's *EEO-1 Component 1 Online Filing System (OFS).* Filers are not permitted to submit EEO-1 Component 1 workforce demographic data using this sample. The EEOC requires electronic submission of EEO-1 Component 1 report(s) through the *OFS*, the agency's web-based data collection application (i.e., portal). The *OFS* is accessible at www.eeocdata.org/eeo1. The EEOC will only accept EEO-1 Component 1 report(s) submitted and certified through the *OFS*. The EEOC will not accept reports submitted via paper or through other non-OFS electronic means (e.g., email, CD-ROM). The EEOC will consider filers submitting reports outside of the OFS to be non-compliant for purposes of their mandatory EEO-1 Component 1 filing obligation.

SECTION A – TYPE OF REPORT

This section denotes the specific "type" of report displayed (i.e., a "Single-Establishment Employer Report," a "Consolidated Report," a "Headquarters Report," or an "Establishment-Level Report").

Please note that the *OFS* will only generate one PDF report for a single-establishment employer since such an employer is only required to submit a "Single-Establishment Employer Report." However, depending on the number of non-headquarters establishments for which a multi-establishment employer is reporting, there could be hundreds, or thousands, of reports generated by the *OFS* for the employer. For example, a multi-establishment employer with a headquarters and 500 non-headquarters establishments will have a total of 502 PDF reports generated by the *OFS* (i.e., one "Consolidated Report" PDF report, one "Headquarters Report" PDF report, and 500 "Establishment-Level Report" PDF reports for its non-headquarters establishments).[62] These reports may be accessed within the *OFS* as individual PDFs or as a single PDF containing all reports.

SECTION B – EMPLOYER IDENTIFICATION

This section contains identifying information about the single-establishment employer or multi-establishment employer, including the employer's name, address, and "OFS Company ID." For a multi-establishment employer, the "employer name" would be, for example, the name of the parent company or holding company. The "OFS Company ID" is a unique, seven-character identification number associated with each employer. It is assigned by the EEOC.

SECTION C – HEADQUARTERS OR ESTABLISHMENT-LEVEL IDENTIFICATION (if applicable)

This section applies only to a multi-establishment employer and contains identifying information for the multi-establishment employer's headquarters or a non-headquarters establishment. For a single-establishment employer, this section will be denoted with a "N/A" (not applicable) designation in the PDF version of its "Single-Establishment Employer Report."

For a multi-establishment employer, this section may contain a "N/A" denoting that this section was "not applicable" depending on the "type" of report associated with the PDF. For example, a multi-establishment employer's "Consolidated Report" will contain a "N/A" designation in this section since it is not a "Headquarters Report" or an "Establishment-Level Report." However, the employer's "Headquarters Report" will contain the headquarters' name, address, and Headquarters ID in this section. For an "Establishment-Level Report," this section will contain the name of the specific establishment, along with the establishment's address and Establishment-Level Unit ID.

SECTION D – EMPLOYER IDENTIFICATION NUMBER (EIN)

This section contains the Employer Identification Number (EIN).[63] For a single-establishment

[62] Please note that a multi-establishment employer can download all its reports into a single PDF document as in past reporting cycles.
[63] The Employer Identification Number (EIN) is a unique, nine-digit identifier used to identify business entities in the U.S. It is assigned by the IRS and is needed by all businesses that have employees and certain others with no employees.

employer, the employer's EIN for its "Single-Establishment Employer Report" will be populated in this section.

For a multi-establishment employer, the employer's EIN for its headquarters will be populated in this section of the employer's "Headquarters Report."[64] The EIN associated with a multi-establishment employer's non-headquarters establishment(s) will be populated in this section on each of its "Establishment-Level Report(s)."[65]

SECTION E – EMPLOYER FILING ELIGIBILITY

As part of the EEO-1 Component 1 filing process, employers must answer a series of eligibility questions within the *OFS* to determine if they are legally required to submit workforce demographic data to the EEOC.[66] The employer's response indicating whether it is eligible, not eligible or no longer in business will be populated in this section of the employer's EEO-1 Component 1 report(s). The three potential designations in this section include the following:

- □ **YES** (Employer Is Eligible to File)
- □ **NO** (Employer Is Not Eligible to File)
- □ **EMPLOYER NO LONGER IN BUSINESS**

SECTION F – FEDERAL CONTRACTOR DESIGNATION (if applicable)

As part of the EEO-1 Component 1 filing process, single-establishment and multi-establishment employers must identify whether they are a federal contractor[67] and if so, provide their associated Unique Entity ID (UEI).[68] A multi-establishment employer must also identify whether its headquarters or any non-headquarters establishment is a federal contractor and if so, provide the UEI associated with each. Please note that OFCCP considers an employer (e.g., parent, headquarters) to be a federal contractor if ***any*** of the employer's establishments are a federal

[64] Additionally, for the employer's "Consolidated Report" this section will be populated with the EIN provided for its headquarters.
[65] For purposes of EEO-1 Component 1 reporting, an EIN ***must*** be provided for an employer's headquarters and each of its non-headquarters establishments. However, if establishments are located at the same address (including, for example, suite number) ***and*** have ***both*** the same NAICS code ***and*** the same EIN, the establishments ***must*** be combined into a single "Establishment-Level Report." Such establishments are considered one establishment for purposes of EEO-1 Component 1 reporting.
[66] The specific eligibility requirements for filing are discussed in detail in the above section of the Instruction Booklet entitled "WHO MUST FILE." Please note that an employer that receives an EEO-1 Component 1 filing notice from the EEOC but believes it is not required to file must access the *EEO-1 Component 1 Online Filing System (OFS)* to complete the embedded eligibility screener. If the screener confirms eligibility, the employer must follow the prompts to submit and certify the required workforce demographic data. If the eligibility screener indicates the employer is ineligible to file, the employer must certify that it is ineligible in the *OFS*. Failure to certify ineligibility through the *OFS* will result in future EEO-1 Component 1 filing notices being sent to the employer by the EEOC. Additionally, an employer who receives an EEO-1 Component 1 filing notice from the EEOC but has ceased operations and is no longer in business must also access the *EEO-1 Component 1 Online Filing System (OFS)* to complete the eligibility screener. If the eligibility screener indicates the employer is ineligible to filer, the employer must certify that its company is ineligible and no longer in business in the *OFS*. Similarly, failure to certify ineligibility through the *OFS* will result in future EEO-1 Component 1 filing notices being sent to the employer by the EEOC.
[67] Please refer to the above section of the Instruction Booklet entitled *"*WHO MUST FILE*"* for federal contractor eligibility.
[68] On April 4, 2022, the federal government stopped using the "DUNS Number" to uniquely identify entities doing business with the federal government (i.e., federal contractors). The "Unique Entity ID" (UEI) is now the official identifier for federal contractors. *See* https://www.gsa.gov/about-us/organization/federal-acquisition-service/technology-transformation-services/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update and https://sam.gov/content/duns-uei. Single-establishment and multi-establishment employers ***must*** provide their "UEIs" instead of a "DUNS Number" for any headquarters and/or establishment(s) which are federal contractors.

contractor.[69]

This information is populated in "Section F – Federal Contractor Designation (if applicable)" on the employer's EEO-1 Component 1 report(s) generated by the *OFS*. These designations include the following:

- □ **YES** (Single-Establishment Employer is Federal Contractor)[70]
- □ **YES** (Multi-Establishment Employer is Federal Contractor)[71]
- □ **YES** (Headquarters is Federal Contractor)[72]
- □ **YES** (Non-Headquarters Establishment is Federal Contractor)[73]
- □ **YES** (One or More Non-Headquarters Establishments is Federal Contractor)[74]

SECTION G – NAICS INFORMATION

This section contains the NAICS (North American Industry Classification System) code used to identify the primary industry in which the single-establishment or multi-establishment employer operates, including any establishment(s).[75] Each employer and any establishment(s) must have an appropriate NAICS code associated with it. NAICS codes are updated by the Office of Management and Budget (OMB) every five years (i.e., in years that end in 2 or 7). For the 2024 EEO-1 Component 1 Report, the 2022 NAICS codes should be used.[76] For additional information on reporting a NAICS code by establishment, please refer to the above section of the Instruction Booklet entitled "HOW TO REPORT NAICS CODES."

SECTION H – WORKFORCE DEMOGRAPHIC DATA

This section contains workforce demographic data by job category and sex and race or ethnicity submitted by eligible single-establishment and multi-establishment employers. The total reported employees within each job category should equal the sum of each employee reported for that job category across all sex and race/ethnicity categories. Additionally, the total number of employees within each sex and race/ethnicity category should equal the sum of that particular category across all job categories. This section will also provide the "current reporting year total" and "prior reporting year total" for each sex and race/ethnicity category across all job categories.

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[69] For example, if an employer (i.e., parent company) has 1,000 non-headquarters establishments and of these establishments, only one is a federal contractor, OFCCP considers the entire employer (i.e., parent, headquarters, and all non-headquarters establishments) to be a federal contractor.

[70] If a single-establishment employer indicates that it is a federal contractor, this box will be populated in "Section F" of the PDF version of the employer's "Single-Establishment Employer Report."

[71] If a multi-establishment employer indicates that it is a federal contractor, this box will be populated in "Section F" of the employer's "Consolidated Report."

[72] If a multi-establishment employer indicates that its headquarters is a federal contractor, this box will be populated in "Section F" of the employer's "Headquarters Report."

[73] If a multi-establishment employer indicates that a specific non-headquarters establishment is a federal contractor, this box will be populated in "Section F" of the "Establishment-Level Report" for that establishment.

[74] If a multi-establishment employer indicates that any non-headquarters establishment is a federal contractor, this box will be populated in "Section F" of the employer's "Consolidated Report," "Headquarters Report," and "Establishment-Level Report(s)."

[75] Please note that if an employer operates several industries at one establishment and thus has several NAICS codes associated with that one location, the employer must provide the one NAICS code under which the largest number of employees work. Additionally, for the "Headquarters Report," the multi-establishment employer must provide the one NAICS code under which the largest number of employees work for the multi-establishment employer as a whole (i.e., across all establishments).

[76] To identify the correct NAICS code for each establishment, an employer can search using keywords for its business using the U.S. Census Bureau NAICS Search Tool at www.census.gov/naics.

SECTION I – WORKFORCE SNAPSHOT PERIOD

This section contains the dates (i.e., month, day, year) of the "workforce snapshot period"[77] selected by an eligible single-establishment or multi-establishment employer for the reporting of its workforce demographic data (i.e., employee data by job category and sex and race or ethnicity). These dates must be entered into the *OFS* and will populate under the table containing each report's workforce demographic data. For additional information on reporting an employer's workforce snapshot period, please refer to the above section of the Instruction Booklet entitled "WORKFORCE SNAPSHOT PERIOD."

SECTION J – HEADQUARTERS OR ESTABLISHMENT-LEVEL COMMENTS (optional)

Employers *may* provide the EEOC with any additional comments regarding its headquarters or any of its non-headquarters establishments. Any comments provided for the employer's headquarters or any non-headquarters establishment will be populated under this section in the applicable report(s) generated by the *OFS*. If no comments are submitted, the statement "No Comments Provided" will be populated in this section of the PDF(s). Please note this section is not applicable to a multi-establishment employer's "Consolidated Report," which will be populated with the statement "Not Applicable." Employers may also leave additional comments in "Section K" under the "Certification Comments" sub-section. Any comments provided will be populated in "Section K" of a multi-establishment employer's "Consolidated Report" and in "Section K" of a single-establishment employer's "Single-Establishment Employer Report."

SECTION K – OFFICIAL CERTIFICATION OF SUBMISSION

For a single-establishment employer, this section will appear in the PDF version of the employer's "Single-Establishment Employer Report" generated by the *OFS*. For a multi-establishment employer, this section will appear in the PDF version of the employer's "Consolidated Report."

Please note that if an employer fails to complete the ***final*** step to "Certify EEO-1 Component 1 Report(s)" within the *EEO-1 Component 1 Online Filing System (OFS)*, the status of the employer's filing will be considered "incomplete" by the EEOC. Even if the employer has submitted data for each of its required reports, the filing will not be considered complete by the EEOC until the employer certifies its submission in the *EEO-1 Component 1 Online Filing System (OFS)*.

This section contains the following information:

Employer Identification

This section contains identifying information about the single-establishment employer or multi-establishment employer, including the employer's name, address, and "OFS Company ID." For a multi-establishment employer, the "Employer Name" would be, for

[77] The "workforce snapshot period" must include all full-time ***and*** part-time employees who were employed during an employer-selected pay period in the fourth quarter (i.e., October 1 through December 31) of the reporting year (i.e., the "workforce snapshot period"). The workforce snapshot period for the 2024 EEO-1 Component 1 report would be an employer-selected pay period between October 1, 2024 and December 31, 2024.

example, the name of the parent company or holding company, and the "Address" would be the associated address. The "OFS Company ID" is a unique, seven-character identification number associated with each employer. It is assigned by the EEOC.

Certification Comments (optional)

A single-establishment or multi-establishment employer *may* provide the EEOC with any final comments regarding its submission in this sub-section. Any comments provided will be populated in this section. If no comments are submitted, a "No Certification Comments Provided" will be populated in this section.

Certification Statement

The employer's "Certifying Official" will certify to the following statement in the *OFS*:

"*I certify that the information, including any workforce demographic data, provided in this report is correct and true to the best of my knowledge and was prepared in conformity with the directions set forth in the form and accompanying instructions*."

Below this statement, the EEOC provides written notice to the "Certifying Official" that "[k]nowingly and willfully false statements on this report are punishable by law, US Code, Title 18, Section 1001."

Date of Certification

The *OFS* will automatically generate the month, day, year, and time (e.g., May 22, 2024 9:00 AM) that the submission was certified by the employer in the *OFS*.

Employer's Certifying Official

The individual serving as the "Certifying Official" ***must*** be an official (i.e., employee) of the employer. For example, an employer using a third-party human resource organization (e.g., PEO, HRO, ASO) is ***not*** permitted to have an official (i.e., employee) of the third-party human resource organization certify an employer's EEO-1 Component 1 report(s). An official of the employer ***must*** certify the employer's EEO-1 Component 1 report(s).

This sub-section contains the following information:

- Name of Employer's Certifying Official
- Title of Certifying Official
- Email Address of Certifying Official
- Telephone Number of Certifying Official

Primary Point of Contact (POC) for EEO-1 Component 1 Reporting

In addition to a "Certifying Official," employers must also provide a "Primary Point of Contact (POC) for EEO-1 Component 1 Reporting" (i.e., "Primary POC") for receiving communications from the EEOC regarding the report. Employers may choose the same individual to serve as both the employer's "Certifying Official" and the "Primary Point of Contact (POC) for EEO-1 Component 1 Reporting" (i.e., "Primary POC"). Alternatively,

an employer may provide a different individual to be its "Primary Point of Contact (POC) for EEO-1 Component 1 Reporting" (i.e., "Primary POC"). However, the "Certifying Official" must be an employee of the employer and not, for example, an employee or representative of the employer's third-party human resource organization (e.g., PEO, ASO, HRO) filing on the employer's behalf.

This sub-section contains the following information:

- Name of Primary POC
- Title and Employer of Primary POC
- Email Address of Primary POC
- Telephone Number of Primary POC

23. FAILURE TO FILE

The deadline to file the 2024 EEO-1 Component 1 report is ***11:00 pm ET (i.e., Eastern Time) on Tuesday, June 24, 2025*** (i.e., "Published Due Date").

After the ***Tuesday, June 24, 2025*** "Published Due Date" deadline passes, ***no*** additional 2024 EEO-1 Component 1 report(s) will be accepted, and eligible employers will be ***out of compliance*** with their mandatory 2024 EEO-1 Component 1 filing obligations. Pursuant to EEOC regulation 29 CFR 1602.9, any employer "failing or refusing" to file when required to do so, may be compelled to file by order of a U.S. District Court, upon application by the Commission.[78]

24. APPLICATION FOR UNDUE HARDSHIP EXEMPTION[79]

Pursuant to 29 CFR § 1602.57, if an employer claims that the preparation or filing of the 2024 EEO-1 Component 1 report would create undue hardship, the employer may apply to the Commission for an exemption from the requirements set forth in this Instruction Booklet by submitting a written exemption application according to the instructions contained herein.

The employer must demonstrate with specific facts (and supporting documentation, as appropriate) how preparing or filing of the 2024 EEO-1 Component 1 report would create undue hardship.[80] Please note that while an application is pending, the employer must continue to collect and prepare the data required for the report in case the exemption request is denied.

All exemption applications ***must*** be submitted in writing and sent to the following mailing address:

U.S. Equal Employment Opportunity Commission (EEOC)
Attention: Office of Enterprise Data and Analytics (OEDA)
131 M Street NE
Washington, DC 20507

[78] *See* https://www.ecfr.gov/current/title-29/subtitle-B/chapter-XIV/part-1602/subpart-B/section-1602.9.
[79] *See* https://www.ecfr.gov/current/title-29/subtitle-B/chapter-XIV/part-1602/subpart-S.
[80] Please note that an application for an undue hardship exemption is for consideration of an exemption from filing an employer's mandatory EEO-1 Component 1 report. It is ***not*** an application for an extension of the "Published Due Date" deadline.

Exemption applications must be postmarked on or before the following date: ***Tuesday, June 24, 2025***. Only exemption applications submitted according to the above instructions will be accepted for consideration.[81] Filers are not permitted to submit an exemption application via email or through the *EEO-1 Component 1 Online Filing System (OFS)*. Additionally, any exemption applications postmarked ***after*** the above date will not be considered.

25. CONFIDENTIALITY

All reports and any information from individual reports are subject to the confidentiality provisions of Section 709(e) of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-8(e), as amended (Title VII) and may not be made public by the EEOC prior to the institution of any proceeding under Title VII involving the EEO-1 Component 1 data. Any EEOC employee who violates this prohibition may be found guilty of a criminal misdemeanor and could be fined or imprisoned. The confidentiality requirements allow the EEOC to publish only aggregated data, and only in a manner that does not identify any particular filer or reveal any individual employee's personal information. The Office of Federal Contract Compliance Programs (OFCCP) obtains EEO-1 Component 1 reports for federal contractors pursuant to its own legal authority under Executive Order 11246 and its implementing regulations. Because OFCCP obtains EEO-1 data for contractors under its own E.O. 11246 authority, some courts have ruled that the Title VII prohibition against disclosure does not apply to OFCCP's collection of EEO-1 data. *See, e.g., United Techs. Corp. v. Marshall,* 464 F. Supp. 845, 851-52 (D. Conn. 1979); *Sears Roebuck & Co. v. Gen. Servs. Admin.,* 509 F.2d 527, 529 (D.C. Cir. 1974). Accordingly, the EEO-1 Component 1 data of federal contractors received by OFCCP may be subject to potential disclosure by OFCCP under the Freedom of Information Act (FOIA), although FOIA exemptions may prevent disclosure. For more information, see the Department of Labor's FOIA regulations at 41 CFR part 70 and frequently asked questions (Freedom of Information Act (FOIA) Frequently Asked Questions | U.S. Department of Labor (dol.gov)) at https://www.dol.gov/agencies/ofccp/faqs/foia.

With respect to other federal agencies with a legitimate law enforcement purpose but without OFCCP'S independent authority to collect EEO-1 data, the EEOC gives access to information collected under Title VII only if the agencies agree, by letter or memorandum of understanding, to comply with the confidentiality provisions of Title VII. In addition, section 709(d) 42 U.S.C. 2000e-8(d) provides that the EEOC shall furnish upon request and without cost to state or local civil rights agencies information about employers in their jurisdiction on the condition that they not make it public prior to starting a proceeding under state or local law involving such information. The EEOC shares EEO-1 data with state or local Fair Employment Practices Agencies (FEPAs) pursuant to Worksharing Agreements that impose obligations on the contracted FEPA with respect to confidentiality, privacy, and data security. On a case-by-case basis, the EEOC may share EEO-1 data with a FEPA that does not have a Worksharing Agreement, but only if that FEPA agrees to comply with confidentiality, privacy, and data security obligations similar to those imposed on FEPAs with Worksharing Agreements.

26. BURDEN ESTIMATE

Comments regarding the burden associated with the collection of EEO-1 Component 1 data under the

[81] Please note that applications submitted to EEOC field offices or other offices within EEOC headquarters will ***not*** be considered.

Paperwork Reduction Act (PRA),[82] including suggestions for reducing burden, may be submitted at any time to either the EEOC or the Office of Management and Budget (OMB) at the following mailing addresses:

U.S. Equal Employment Opportunity Commission (EEOC)
Attention: Office of Enterprise Data and Analytics (OEDA)
131 M Street NE
Washington, DC 20507

OR

Paperwork Reduction Act (3046-0049)
Office of Management and Budget
Washington, DC 20503

[82] The full text of the OMB regulations on the PRA may be found at 5 CFR Part 1320.

APPENDIX A

DEFINITIONS

"Account Holder" refers to an individual who has access to the *EEO-1 Component 1 Online Filing System (OFS)* via a user account associated with their email address.

"Certifying Official" refers to the official (i.e., employee) designated by an employer to certify the employer's EEO-1 Component 1 report submission to the EEOC. The "certifying official" will certify to the following statement within the *OFS*: "*I certify that the information, including any workforce demographic data, provided in this report is correct and true to the best of my knowledge and was prepared in conformity with the directions set forth in the form and accompanying instructions*." Below this statement, the EEOC provides written notice to the "Certifying Official" that "[k]nowingly and willfully false statements on this report are punishable by law, US Code, Title 18, Section 1001."

The individual serving as the "Certifying Official" ***must*** be an official (i.e., employee) of the employer. For example, an employer using a third-party human resource organization (e.g., PEO, HRO, ASO) is ***not*** permitted to have an official (i.e., employee) of the third-party human resource organization certify an employer's EEO-1 Component 1 report(s). An official of the employer ***must*** certify the employer's EEO-1 Component 1 report(s).

"Commission" refers to the U.S. Equal Employment Opportunity Commission (EEOC).

"*EEO-1 Component 1 Online Filing System (OFS)*" refers to the web-based application (i.e., portal) used to electronically collect EEO-1 Component 1 data by the EEOC.

"EIN (Employer Identification Number)" is a unique, nine-digit identifier used to identify business entities in the U.S. It is assigned by the IRS and is needed by all businesses that have employees and certain others with no employees.

"Employee" means any individual on the payroll of an employer who is an employee for purposes of the employers withholding of Social Security taxes except insurance sales agents who are considered to be employees for such purposes solely because of the provisions of 26 USC 3121 (d)(3)(B) (the Internal Revenue Code). Leased employees are included in this definition.

"Employer" under Section 701(b), Title VII of the Civil Rights Act of 1964, as amended, means a person engaged in an industry affecting commerce who has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, and any agent of such a person, but such term does not include the United States, a corporation wholly owned by the government of the United States, American Indian or Alaska Native tribes, or any department or agency of the District of Columbia subject by statute to procedures of the competitive service (as defined in section 2102 of Title 5 of the United States Code), or a bona fide private membership club (other than a labor organization) which is exempt from taxation under Section 501(c) of the Internal Revenue Code of 1954.

"Employer Dashboard" refers to a page in the *EEO-1 Component 1 Online Filing System (OFS)* that displays a particular employer's details, shows the various actions and milestones required to complete the EEO-1 Component 1, and makes reports from previous reporting years available.

"Establishment" is generally a single physical location where business is conducted or where services or industrial operations are performed (e.g., factory, mill, store, hotel, movie theater, mine, farm, airline terminal, sales office, warehouse, or central administrative office).[83] Establishments at different physical locations must be reported as ***separate*** establishments even if conducting the same business or performing the same services or industrial operations.

"Establishment-Level Unit ID" refers to a unique, alphanumeric, seven-character identifier that corresponds to a specific establishment.

"Leased Employee", for EEO-1 Component 1 reporting only, means a permanent employee provided by an employment agency for a fee to an outside company for which the employment agency handles all personnel tasks including payroll, staffing, benefit payments and compliance reporting. The employment agency shall include leased employees in its EEO-1 report. For EEO-1 Component 1 reporting purposes only, the term "employee" shall not include persons who are hired on a casual basis for a specified time, or for the duration of a specified job (for example, a person at a construction site whose employment relationship is expected to terminate with the end of the employee's work at the site); persons temporarily employed in any industry other than construction, such as temporary office workers, mariners, stevedores, lumber yard workers, etc., who are hired through a hiring hall or other referral arrangement, through an employee contractor or agent, or by some individual hiring arrangement, or persons (EXCEPT leased employees) on the payroll of an employment agency who are referred by such agency for work to be performed on the premises of another employer under that employer's direction and control. These definitions are only for purposes of clarifying who reports these individuals on the EEO-1 Component 1 and do not have legal ramifications as to the analysis of whether a particular individual is an employee or an independent contractor. That is done under the factors enumerated by the Supreme Court in Nationwide Mutual Ins. Co. v. Darden, 503 U.S. 318 (1992).

"Headquarters Unit ID" refers to a unique, alphanumeric, seven-character identifier that corresponds to a company's headquarters in the *EEO-1 Component 1 Online Filing System (OFS)*.

"NAICS" refers to the North American Industry Classification System (NAICS). This code is used to identify the primary industry in which a business or an establishment operates and represents the specific primary goods or services provided to the public.[84]

"New Account Holders" refers to account holders created as part of the current reporting year's collection.

[83] *See* Frequently Asked Question 2 (What is an establishment?) at www.census.gov/naics for the U.S. Census Bureau's North American Industry Classification System (NAICS) definition.
[84] *See* www.census.gov/naics.

"OEDA" (Office of Enterprise Data and Analytics) refers to the office within the EEOC which administers the agency's EEO data collections, including the EEO-1 Component 1. Since its creation in May 2018, OEDA has worked to modernize the agency's EEO data collections and improve the quality of data collected. OEDA has also streamlined functions, such as providing additional self-service options, resource materials, and an online support message center.

"OFCCP" refers to the Office of Federal Contract Compliance Programs, U.S. Department of Labor, which administers and enforces Executive Order 11246, as amended.

"*OFS*" is an abbreviated reference to the **"***EEO-1 Component 1 Online Filing System (OFS)*."

"OFS Company ID" refers to a unique, alphanumeric, seven-character identifier that corresponds to a company in the *EEO-1 Component 1 Online Filing System (OFS)*.

"Point of Contact" refers to an individual designated by the employer to receive communications from the EEOC. The EEOC strongly encourages employers to include more than one individual as a point of contact to ensure the employer receives critical notifications.

"Primary Point of Contact (POC) for EEO-1 Component 1 Reporting" refers to the individual designated within "Section K – Official Certification of Submission" as the "Primary Point of Contact (POC) for EEO-1 Component 1 Reporting" (i.e., "Primary POC") for receiving communications from the EEOC regarding the report. In addition to a "Certifying Official," employers must also provide a "Primary Point of Contact (POC) for EEO-1 Component 1 Reporting" (i.e., "Primary POC"). Employers may choose the same individual to serve as both the employer's "Certifying Official" and the "Primary Point of Contact (POC) for EEO-1 Component 1 Reporting" (i.e., "Primary POC"). Alternatively, an employer may provide a different individual to be its "Primary Point of Contact (POC) for EEO-1 Component 1 Reporting" (i.e., "Primary POC"). However, the "Certifying Official" ***must*** be an employee of the employer and not, for example, an employee or representative of the employer's third-party human resource organization (e.g., PEO, ASO, HRO) filing on the employer's behalf.

"Returning Users" refers to EEO-1 Component 1 account holders who had a user account during a previous reporting year (i.e., cycle).

"Unique Entity ID (UEI)" ***(ONLY APPLICABLE TO FEDERAL CONTRACTORS)*** is now the official identifier for federal contractors.[85] On April 4, 2022, the federal government stopped using the "Data Universal Numbering System" (DUNS) to uniquely identify entities doing business with the federal government (i.e., federal contractors).[86]

[85] For more information on the federal government's change to the Unique Entity ID (i.e., UEI), *see* https://www.gsa.gov/about-us/organization/federal-acquisition-service/technology-transformation-services/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update; https://www.fsd.gov/gsafsd_sp?id=kb_article_view&sysparm_article=KB0041254&sys_kb_id=875189f21bee8d54937fa64ce54bcbaa&spa=1 and https://sam.gov/content/duns-uei.

[86] Before April 4, 2022, the DUNS Number issued by Dun & Bradstreet was the official entity identifier used by the federal government.

For purposes of the EEO-1 Component 1 data collection, eligible federal contractors no longer provide the "DUNS Numbers" associated with their headquarters and/or establishment(s) in the *EEO-1 Component 1 Online Filing System (OFS)* or in any data files uploaded to the *OFS*. Employers (i.e., single-establishment and multi-establishment employers) that are federal contractors ***must*** instead provide UEIs generated in SAM.gov (i.e., www.sam.gov). For example, a multi-establishment employer ***must*** provide UEIs for any headquarters and/or non-headquarters establishment(s) which are federal contractors.

"Workforce Snapshot Period" refers to the employer-selected pay period used by an employer for its EEO-1 Component 1 reporting. This pay period must be from the fourth quarter (i.e., October 1 through December 31) of the reporting year. Workforce demographic data (i.e., employee data by job category and sex and race or ethnicity) must include all full-time ***and*** part-time employees who were employed during the pay period selected by the employer. The workforce snapshot period for the 2024 EEO-1 Component 1 report would be an employer-selected pay period between October 1, 2024 and December 31, 2024.[87]

Beginning with the 2023 EEO-1 Component 1 data collection, an employer that meets the employee threshold for EEO-1 Component 1 reporting purposes at ***any time*** during the fourth quarter (i.e., October 1 through December 31) of the reporting year, may ***not*** select a workforce snapshot period where it falls below the threshold in an effort to avoid the filing requirement.

"My Employer List" refers to a section in the *EEO-1 Component 1 Online Filing System (OFS)* that lists all the employers associated with a user account.

[87] An employer is not required to use the same workforce snapshot period (i.e., months, days) from the fourth quarter of the reporting year that it selected in previous reporting cycles. For example, an employer that selected a workforce snapshot period with the month/days of October 1 through October 14 for the 2023 EEO-1 Component 1 reporting cycle may select different month/days (e.g., November 15 through November 30) for the 2024 EEO-1 Component 1 reporting cycle.

APPENDIX B

DEFINITIONS OF RACE AND ETHNICITY CATEGORIES

Hispanic or Latino

A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

White

A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Black or African American

A person having origins in any of the black racial groups of Africa.

Native Hawaiian or Other Pacific Islander

A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Asian

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.

American Indian or Alaska Native

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

All persons who identify with more than one of the above five races (White, Black or African American, Native Hawaiian or Other Pacific Islander, Asian, American Indian or Alaska Native). For the purposes of this group, identifying as Hispanic or Latino and only one of the listed 5 race groups does NOT qualify.

Instructions for Assigning Employees into the Race/Ethnicity Categories

Hispanic or Latino

Include all employees who answer "YES" to the question, "Are you Hispanic or Latino?" in the appropriate category for both males and females as indicated.

White (Not Hispanic or Latino)

Include all employees who identify as White and no other race, and who did not answer "YES" to the question "Are you Hispanic or Latino?" for both males and females as indicated in the appropriate category.

Black or African American (Not Hispanic or Latino)

Include all employees who identify as Black or African American and no other race, and who did not answer "YES" to the question "Are you Hispanic or Latino?" for both males and females as indicated in the appropriate category.

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)

Include all employees who identify as Native Hawaiian or Other Pacific Islander and no other race, and who did not answer "YES" to the question "Are you Hispanic or Latino?" for both males and females as indicated in the appropriate category.

Asian (Not Hispanic or Latino)

Include all employees who identify as Asian and no other race, and who did not answer "YES" to the question "Are you Hispanic or Latino?" for both males and females as indicated in the appropriate category.

American Indian or Alaska Native (Not Hispanic or Latino)

Include all employees who identify as American Indian or Alaska Native and no other race, and who did not answer "YES" to the question "Are you Hispanic or Latino?" for both males and females as indicated in the appropriate category.

Two or More Races (Not Hispanic or Latino)

Include all employees who identify with more than one of the above five races, and who did not answer "YES" to the question "Are you Hispanic or Latino?" for both males and females as indicated in the appropriate category.

APPENDIX C

DESCRIPTION OF JOB CATEGORIES

Executive/Senior Level Officials and Managers[88]

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: chief executive officers; chief operating officers; chief financial officers; line of business heads; presidents or executive vice presidents of 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[89]

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: vice presidents and directors; group, regional or divisional controllers; treasurers; human resources, information systems, marketing, and operations managers.

The "First/Mid-Level Officials and Managers" subcategory also includes those who report directly to middle 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 higher-level officials and managers to subordinate personnel and, in some instances, directly supervising the activities of exempt and non-exempt personnel.

Examples: first-line managers; team managers; unit managers; operations and production mangers; branch managers; administrative services managers; purchasing and transportation

[88] The "Officials and Managers" category as a whole is to be divided into the following two subcategories: "Executive/Senior Level Officials and Managers," and "First/Mid-Level" Officials and Managers." These subcategories are intended to mirror the employer's own well-established hierarchy of management positions. Small employers who may not have two well-defined hierarchical steps of management should report their management employees in the appropriate categories.
[89] The "Officials and Managers" category as a whole is to be divided into the following two subcategories: "Executive/Senior Level Officials and Managers," and "First/Mid-Level" Officials and Managers." These subcategories are intended to mirror the employer's own well-established hierarchy of management positions. Small employers who may not have two well-defined hierarchical steps of management should report their management employees in the appropriate categories.

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: 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: 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: 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: office and administrative support workers; bookkeepers; 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

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: boilermakers; brick and stone masons; carpenters; electricians; painters (both construction and maintenance); glaziers; pipe layers, 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.

Examples: 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.

Examples: millwrights; etchers and engravers; tool and die makers; and pattern makers.

Operatives

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: 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.

Examples: 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

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: 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 (Food Service): cooks; bartenders; and other food service workers.

Examples (Personal Service): medical assistants and other healthcare support positions;

hairdressers; ushers; and transportation attendants.

Examples (Cleaning Service): cleaners; janitors; and porters.

Examples (Protective Service): transit and railroad police and fire fighters; guards; private detectives and investigators.

APPENDIX D

ADDITIONAL RESPONSIBILITIES OF THIRD-PARTY HUMAN RESOURCE ORGANIZATIONS AND THEIR CLIENT EMPLOYERS

The purpose of this appendix is to provide additional information on the filing responsibilities of third-party human resource organizations (e.g., Professional Employer Organizations (PEOs), Administrative Services Organizations (ASOs), Human Resource Outsourcing organizations (HROs)) and their client employers.[90]

Reports Required for Filing on Behalf of a Client Employer

Third-party human resource organizations (e.g., PEOs, HROs, ASOs) are not permitted to file for an eligible client employer as an "establishment" of the third-party human resource organization. In other words, a third-party human resource organization may not submit an EEO-1 Component 1 report that includes itself and a client employer or a report that includes multiple client employers.

Additionally, third-party human resource organizations (e.g., PEOs, HROs, ASOs) are ***not permitted*** to file only establishment report(s) for a client employer. Third-party human resource organizations choosing to file on behalf of a single-establishment client employer (i.e., single-establishment employer) or a multi-establishment client employer (i.e., multi-establishment employer) must file all the reports that a client employer filing on its own behalf would be required to file.

A third-party human resource organization (e.g., PEO, HRO, ASO) is also not permitted to file EEO-1 Component 1 report(s) on behalf of a client employer for only a ***partial number*** of the client employer's employees. In such a situation, the client employer, not the third-party human resource organization, must file EEO-1 Component 1 report(s) for ***all*** its employees.

Single-Establishment Client Employer (i.e., single-establishment employer)

A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a single-establishment client employer (i.e., single-establishment employer) must file the following report under the client employer's own *EEO-1 Component 1 Online Filing System (OFS)* employer registration.

Single-Establishment Employer Report[91]

A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a single-establishment client employer (i.e., single-establishment employer), must submit one EEO-1 Component 1 report (i.e., "Single-Establishment Employer Report") for a single-establishment client employer conducting business or performing

[90] Clients of Professional Employer Organizations (PEOs), Administrative Services Organizations (ASOs), Human Resource Outsourcing organizations (HROs), and similar third-party human resource organizations are referred to as "client employers" by the EEOC for purposes of the EEO-1 Component 1 data collection. A "client employer" is an employer that uses the services of a third-party human resource organization (e.g., PEO, HRO, ASO). These services can include preparing and filing the employer's EEO-1 Component 1 report(s) on the employer's behalf. The employer using these services is referred to as a "client employer" of the third-party human resource organization (e.g., PEO, HRO, ASO) that is filing on the employer's behalf.

[91] The "Single-Establishment Employer Report" was formerly referred to as a "Type 1" report. This report is now referred to as a "Single-Establishment Employer Report."

services or industrial operations at only one establishment. This report is referred to as a "Single-Establishment Employer Report." The Single-Establishment Employer Report must include demographic data for all the single-establishment client employer's employees categorized by job category and sex and race or ethnicity.

A third-party human resource organization (e.g., PEO, HRO, ASO) is ***not permitted*** to certify a client employer's "Single-Establishment Employer Report" (i.e., EEO-1 Component 1 report). An official (i.e., employee) of the client employer (i.e., "Certifying Official") must certify the client employer's "Single-Establishment Employer Report" (i.e., EEO-1 Component 1 report.) The client employer's "Certifying Official" ***cannot*** be from the third-party human resource organization (e.g., PEO, HRO, ASO).

Multi-Establishment Client Employer (i.e., multi-establishment employer)[92]

A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a multi-establishment client employer (i.e., multi-establishment employer) must file the following reports under the client employer's own *EEO-1 Component 1 Online Filing System (OFS)* employer registration.

Headquarters Report[93]

A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a multi-establishment client employer (i.e., a multi-establishment employer), must submit a "Headquarters Report" for the multi-establishment client employer. The "Headquarters Report" must include demographic data for all the multi-establishment client employer's employees at its headquarters (i.e., main office site), as well as any remote employees who report to the employer's headquarters, categorized by job category and sex and race or ethnicity.

Establishment-Level Report[94]

A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a multi-establishment client employer (i.e., a multi-establishment employer), must submit an "Establishment-Level Report" for ***each*** non-headquarters establishment of the client employer regardless of the number of employees at the establishment. The "Establishment-Level Report" must include demographic data for all the multi-establishment employer's employees at each establishment, as well as any remote

[92] A multi-establishment client employer (i.e., multi-establishment employer) is an employer conducting business or performing services or industrial operations at ***more than one*** establishment. A multi-establishment employer is required to submit and certify ***all*** the following three types of EEO-1 Component 1 reports (i.e., "Consolidated Report"; "Headquarters Report"; "Establishment-Level Report(s)"). Multi-establishment employers, including, for example, parent corporations and their subsidiary holdings, must report demographic workforce data for all employees at each establishment(s) and subsidiary establishment(s).

[93] The "Headquarters Report" was formerly referred to as a "Type 3" headquarters report. This report is now referred to as a "Headquarters Report."

[94] The "Establishment-Level Report" encompasses the former "Type 4" report for establishments with 50 or more employees and the former "Type 8" report for establishments with fewer than 50 employees. The "Type 4" report and "Type 8" reports were discontinued and replaced with the "Establishment-Level Report."

employees who report to the establishment, categorized by job category and sex and race or ethnicity.[95]

Consolidated Report[96]

A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a multi-establishment client employer (i.e., multi-establishment employer), must submit a "Consolidated Report" for the multi-establishment client employer. The Consolidated Report must include demographic data for all the multi-establishment client employer's employees (i.e., all employees at the employer's headquarters as well as all non-headquarters establishments) categorized by job category and sex and race or ethnicity. In other words, the total number of employees contained in the client employer's "Headquarters Report" ***plus*** the total number of employees contained in all the client employer's "Establishment-Level Report(s)" ***must*** equal the total number of employees contained in the "Consolidated Report."

With the discontinuation of the "Type 6" establishment list report,[97] a "Consolidated Report" is now auto-populated and auto-generated with data from a multi-establishment client employer's "Headquarters Report" and "Establishment-Level Report(s)" within the EEOC's electronic, web-based *EEO-1 Component 1 Online Filing System (OFS)* for all multi-establishment employers.

Although a "Consolidated Report" is auto-populated and auto-generated, a multi-establishment employer is ***still*** responsible for ensuring that the total employee count in the "Consolidated Report" matches the total number of employees the filer is reporting in its "Headquarters Report" and "Establishment-Level Report(s)" ***prior*** to certification. An employer must also ensure that it has reported for ***all*** its establishments. For example, if an employer has 200 establishments, but only reported data for 150 establishments, the "Consolidated Report" will only reflect the data for establishments submitted by the filer (i.e., 150). It is the responsibility of the employer to ensure that data for each of its establishments has been submitted and that the "Consolidated Report" matches that number.

Additionally, a third-party human resource organization (e.g., PEO, HRO, ASO) is ***not permitted*** to certify a multi-establishment client employer's EEO-1 Component 1 report (i.e., "Consolidated Report," "Headquarters Report," "Establishment-Level Report(s)"). An official (i.e., employee) of the client employer (i.e., "Certifying Official") must certify the client employer's EEO-1 Component 1 report(s). The client employer's "Certifying

[95] The EEOC has discontinued the option to use a "Type 6" establishment list report for establishments with fewer than 50 employees. All multi-establishment employers must instead submit an "Establishment-Level Report" for each non-headquarters establishment regardless of the number of employees at the establishment (e.g., fewer than 50 or 50 or more).

[96] The "Consolidated Report" was formerly referred to as a "Type 2" consolidated report. This report is now referred to as a "Consolidated Report."

[97] The prior "Type 6" establishment list report contained the name and address of *each* non-headquarters establishment with fewer than 50 employees, as well as the total number of employees at each establishment. A multi-establishment employer choosing the option to submit a "Type 6" establishment list report, instead of a "Type 8" report, was required to *manually* enter employee demographic data by job category and sex and race or ethnicity into the accompanying "Type 2" consolidated report for every employee of every establishment included on the "Type 6" establishment list report.

Official" ***cannot*** be from the third-party human resource organization (e.g., PEO, HRO, ASO).

EIN and NAICS Code Required for Filing on Behalf of a Client Employer

Every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) chooses to file will be required to have its own employer registration record under the client employer's EIN (Employer Identification Number) within the *EEO-1 Component 1 Online Filing System (OFS)*. Additionally, all client employers and third-party human resource organizations (e.g., PEOs, HROs, ASOs) are required to have a user account to gain access to the *EEO-1 Component 1 Online Filing System (OFS).*

The employer registration record ***must*** be for the client employer itself and not the third-party human resource organization (e.g., PEO, HRO, ASO) filing on the client employer's behalf. Additionally, the NAICS code for the client employer and each of its establishments must be based on the major business activity at each of the client employer's establishment(s) as well as the appropriate EIN for each of the client employer's establishment(s). The third-party human resource organization (e.g., PEO) is not permitted to use its own NAICS code (e.g., 561330 – *Professional Employer Organizations*) or the third-party human resource organization's EIN (e.g., PEO's EIN, HRO's EIN, ASO's EIN) on the client employer's reports (i.e., "Single-Establishment Employer Report," "Consolidated Report," "Headquarters Report," "Establishment-Level Report(s)").

Filing for Only Eligible Client Employers

If a client employer of a third-party human resource organization (e.g., PEO, HRO, ASO) is not otherwise subject to the EEO-1 Component 1 filing requirements, that client employer is not required to file an EEO-1 Component 1 report(s) simply by virtue of being a client of a third-party human resource organization (e.g., PEO, HRO, ASO).

For example, a single-establishment client employer with only 40 employees would not meet the eligibility thresholds requiring it to file an EEO-1 Component 1 report. Thus, neither the client employer nor its PEO would be required to report the client employer's employees for purposes of EEO-1 Component 1 reporting.

Reporting Considerations for a Client Employer Using a Third-Party Human Resource Organization EIN

If a client employer uses a third-party human resource organization's (e.g., HRO) EIN for payroll purposes and the client employer is not otherwise subject to the EEO-1 Component 1 filing requirements, that client employer is not required to file an EEO-1 Component 1 report(s) simply by virtue of being a client of a third-party human resource organization (e.g., HRO) and/or using the organization's EIN for payroll purposes. For example, a single-establishment client employer with only 40 employees that uses a HRO's EIN for payroll purposes would not meet the eligibility thresholds requiring it to file an EEO-1 Component 1 report.

Alternatively, if a client employer meets the EEO-1 Component 1 eligibility requirements, then the client employer is required to submit an EEO-1 Component 1 report(s). The EEO-1 Component

1 report(s) filed by a client employer, or on behalf of a client employer by a third-party human resource organization (e.g., HRO), must include ***all*** the client employer's employees, even if ***some or all of*** those employees were paid under the third-party human resource organization's (e.g., HRO) EIN.

Reporting by an ASO (Administrative Services Organization)

An ASO is permitted to link multiple client employers to an individual user account created by the ASO within the *EEO-1 Component 1 Online Filing System (OFS)*. However, every eligible client employer on behalf of which a third-party human resource organization (e.g., ASO) chooses to file is required to have its own employer registration record under the client employer's EIN (i.e., Employer Identification Number) within the *EEO-1 Component 1 Online Filing System (OFS)*. This employer registration record ***must*** be for the client employer itself and not the third-party human resource organization (e.g., PEO, HRO) filing on the client employer's behalf. Additionally, all client employers, as well as all third-party human resource organizations filing on behalf of client employers, are required to have a user account to gain access to the *EEO-1 Component 1 Online Filing System (OFS).*

Considerations for Current and Former Client Employers of Third-Party Human Resource Organizations

The EEOC ***cannot*** provide current or former client employers of a third-party human resource organization with any prior year EEO-1 Component 1 report(s) filed on their behalf by a third-party human resource organization (e.g., PEO, HRO, ASO). Current or former client employers for which a third-party human resource organization (e.g., PEO, HRO, ASO) filed historical EEO-1 Component 1 data on the client employers' behalf must contact their third-party human resource organization (e.g., PEO, HRO, ASO) to obtain any such reports.

If a client employer has changed its third-party human resource organization (e.g., PEO, HRO, ASO), it is the responsibility of the client employer to determine which third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to prepare and file the client employer's EEO-1 Component 1 report(s) on its behalf. It is also the responsibility of the client employer to ensure an EEO-1 Component 1 report(s) is filed on its behalf. If a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to prepare and file a client employer's EEO-1 Component 1 report(s), the client employer should contact the third-party human resource organization to ensure it has the necessary information to file.

It is the responsibility of a client employer and/or former client employer to ensure an EEO-1 Component 1 report(s) is filed with the EEOC. If neither a former nor current third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to prepare and file EEO-1 Component 1 report(s) on a client employer's behalf, the client employer is still required to have its own employer registration record under the client employer's EIN (i.e., Employer Identification Number) within the *EEO-1 Component 1 Online Filing System (OFS)*.

APPENDIX E

SAMPLE EEO-1 COMPONENT 1 REPORT

NOTICE

SAMPLE EEO-1 Component 1 Report

This is a "sample" EEO-1 Component 1 report generated by the EEOC's *EEO-1 Component 1 Online Filing System (OFS)*. Filers are ***not*** permitted to submit EEO-1 Component 1 workforce demographic data using this sample. The EEOC requires electronic submission of EEO-1 Component 1 report(s) through the *OFS*, the agency's web-based data collection application (i.e., portal). The *OFS* is accessible at www.eeocdata.org/eeo1.

The EEOC will only accept EEO-1 Component 1 report(s) submitted and certified through the *OFS*. The EEOC will ***not*** accept reports submitted via paper or through other non-*OFS* electronic means (e.g., email, CD-ROM). The EEOC will consider filers submitting reports outside of the *OFS* to be non-compliant for purposes of their mandatory EEO-1 Component 1 filing obligation.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)
2024 EMPLOYER INFORMATION REPORT (EEO-1 COMPONENT 1)

EEOC Standard Form 100 (SF 100)
Revised 08/2023
OMB Control Number: 3046-0049
Expiration Date: 11/30/2026

SECTION A – TYPE OF REPORT

SECTION B – EMPLOYER IDENTIFICATION

OFS COMPANY ID	EMPLOYER NAME		
ADDRESS	**CITY/TOWN**	**STATE**	**ZIP CODE**

SECTION C – HEADQUARTERS OR ESTABLISHMENT-LEVEL IDENTIFICATION (if applicable)

HQ/ESTABLISHMENT-LEVEL UNIT ID	HEADQUARTERS OR ESTABLISHMENT-LEVEL NAME		
HEADQUARTERS OR ESTABLISHMENT-LEVEL ADDRESS	**CITY/TOWN**	**STATE**	**ZIP CODE**

SECTION D – EMPLOYER IDENTIFICATION NUMBER (EIN)

SECTION E – EMPLOYER FILING ELIGIBILITY

☐ **YES** (Employer Is Eligible to File) ☐ **NO** (Employer Is Not Eligible to File) ☐ **EMPLOYER NO LONGER IN BUSINESS**

SECTION F – FEDERAL CONTRACTOR DESIGNATION (if applicable)

Unique Entity ID (UEI):

☐ **YES** (Single-Establishment Employer is Federal Contractor) ☐ **YES** (Multi-Establishment Employer is Federal Contractor)

☐ **YES** (Headquarters is Federal Contractor) ☐ **YES** (Non-Headquarters Establishment is Federal Contractor)

☐ **YES** (One or More Non-Headquarters Establishments is Federal Contractor)

SECTION G – NAICS INFORMATION

SECTION H – WORKFORCE DEMOGRAPHIC DATA

JOB CATEGORIES	Race/Ethnicity														Row Total
	Hispanic or Latino		Not Hispanic or Latino												
			Male						Female						
	Male	Female	White	Black or African American	Asian	Native Hawaiian or Other Pacific Islander	American Indian or Alaska Native	Two or More Races	White	Black or African American	Asian	Native Hawaiian or Other Pacific Islander	American Indian or Alaska Native	Two or More Races	
Executive/Senior Level Officials and Managers															
First/Mid-Level Officials and Managers															
Professionals															
Technicians															
Sales Workers															
Administrative Support Workers															
Craft Workers															
Operatives															
Laborers and Helpers															
Service Workers															
CURRENT 2023 REPORTING YEAR TOTAL															
PRIOR 2022 REPORTING YEAR TOTAL															

SECTION I – WORKFORCE SNAPSHOT PERIOD

SECTION J – HEADQUARTERS OR ESTABLISHMENT-LEVEL COMMENTS (optional)

SAMPLE - DO NOT FILL

Source: www.eeocdata.org/eeo1.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) 2024 EMPLOYER INFORMATION REPORT (EEO-1 COMPONENT 1)	EEOC Standard Form 100 (SF 100) Revised 08/2023 OMB Control Number: 3046-0049 Expiration Date: 11/30/2026

SECTION K – OFFICIAL CERTIFICATION OF SUBMISSION

EMPLOYER IDENTIFICATION

OFS COMPANY ID	EMPLOYER NAME		
ADDRESS	**CITY/TOWN**	**STATE**	**ZIP CODE**

CERTIFICATION COMMENTS (optional)

CERTIFICATION STATEMENT

"I certify that the information, including any workforce demographic data, provided in this report is correct and true to the best of my knowledge and was prepared in conformity with the directions set forth in the form and accompanying instructions."

Knowingly and willfully false statements on this report are punishable by law, US Code, Title 18, Section 1001.

DATE OF CERTIFICATION

EMPLOYER'S CERTIFYING OFFICIAL

Name of Employer's Certifying Official	Title of Certifying Official
Email Address of Certifying Official	Telephone Number of Certifying Official

PRIMARY POINT OF CONTACT (POC) FOR EEO-1 COMPONENT 1 REPORTING

Name of Primary POC	Title and Employer of Primary POC
Email Address of Primary POC	Telephone Number of Primary POC

SAMPLE - DO NOT FILL

Source: www.eeocdata.org/eeo1.