

Deadline Extension for EEOC Survey Announced Due to Shutdown

McGlinchey Labor & Employment Alert

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By: [Magdalen Blessey Bickford](#) , [Camille R. Bryant](#) , [Kyle A. Ferachi](#)

On February 1, 2019, the Equal Employment Opportunity Commission (EEOC) announced that, due to the partial lapse in appropriations, the opening of the EEO-1 has been postponed until early March 2019. The deadline to submit EEO-1 data is extended until May 31, 2019.

The EEO-1 report is a compliance survey mandated by federal statute and regulations. The survey requires company employment data to be categorized by race/ethnicity, gender, and job category. Agencies use the data to support civil rights enforcement and to analyze employment patterns, such as the representation of women and minorities within companies, industries, or regions. The EEOC, however, is prohibited by federal statute from publicizing the employment data derived from any of its compliance surveys.

All employers that are located in the 50 states and the district of Columbia and that have at least 100 employees are required to file an EEO-1 survey annually with the EEOC. Both full and part-time employees are counted for purposes of the EEO-1 survey. Federal government contractors and first-tier subcontractors with 50 or more employees and at least \$50,000 in contracts must file as well.

While compliance is detailed, failure to comply could lead to significant consequences. The EEOC takes penalties very seriously, with some companies paying millions in fines. No matter how little you enjoy the data collection, record keeping, and form filing required for compliance, you probably enjoy paying fines even less.

For more information on how to satisfy your compliance obligations, please contact a member of McGlinchey Stafford's Labor & Employment Team. We offer comprehensive training and counseling for employers in this area and others.

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