



FACT SHEET

WHAT IS AN ESTABLISHMENT

NOTICE

Employers (i.e., filers) should read the [2023 EEO-1 Component 1 Instruction Booklet](#) (i.e., “*Instruction Booklet*”) prior to and in conjunction with using the below “fact sheet.” Filers must ensure they are complying with the EEOC’s substantive filing requirements detailed in the *Instruction Booklet* and should not refer solely to this “fact sheet” to complete their required 2023 EEO-1 Component 1 filing. The *2023 EEO-1 Component 1 Instruction Booklet* may be accessed at the following link on the EEOC’s dedicated EEO-1 Component 1 website (www.eeocdata.org/eeo1):
[https://www.eeocdata.org/pdfs/2023 EEO 1 Component 1 Instruction Booklet.pdf](https://www.eeocdata.org/pdfs/2023_EEO_1_Component_1_Instruction_Booklet.pdf).

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).

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.

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. 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.



EEOC 2023 EEO-1 Component 1 Data Collection

All updates about the 2023 EEO-1 Component 1 data collection, including the *2023 EEO-1 Component 1 Instruction Booklet* and the *2023 EEO-1 Component 1 Data File Upload Specifications*, are available on the EEOC's dedicated EEO-1 Component 1 website at www.eeocdata.org/eeo1.

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 *EEO-1 Component 1 Online Filing System (OFS)* account holders to these supplementary resource materials is available through the EEOC's dedicated EEO-1 Component 1 data collection website at www.eeocdata.org/eeo1.

The deadline to file the 2023 EEO-1 Component 1 report is **11:00 pm ET (i.e., Eastern Time) on Tuesday, June 4, 2024** (i.e., "Published Due Date"). Following the **Tuesday, June 4, 2024** "Published Due Date" deadline, the EEOC will enter the "Failure to File" phase. All employers who have *not submitted and certified* their mandatory 2023 EEO-1 Component 1 report(s) by the **Tuesday, June 4, 2024** "Published Due Date" deadline will receive a "Notice of Failure to File" from the EEOC instructing them to submit and certify their data *as soon as possible, and no later than 11:00 pm ET (i.e., Eastern Time) on Tuesday, July 9, 2024* (i.e., "Failure to File" deadline). After the **Tuesday, July 9, 2024** "Failure to File" deadline passes, *no* additional 2023 EEO-1 Component 1 report(s) will be accepted, and eligible employers will be *out of compliance* with their mandatory 2023 EEO-1 Component 1 filing obligations.

The EEO-1 Component 1 report is a mandatory annual data collection that requires all private sector employers with 100 or more employees, and federal contractors with 50 or more employees meeting certain criteria, to submit workforce demographic data, including data by job category and sex and race or ethnicity, to the EEOC. The authorities under which EEO-1 Component 1 data are collected include: Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., 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 40 CFR 60-1.7(a).