



## **U.S. Equal Employment Opportunity Commission**

EEOC Headquarters  
131 M Street, NE  
Washington, DC 20507

# **2021 EEO-1 Component 1 *Frequently Asked Questions (FAQs)***



**EEO-1 Component 1  
Data Collection**

OMB Number: 3046-0049  
Expiration Date: 06/30/2023

# TABLE OF CONTENTS

I.	About the EEO-1 Component 1 Report .....	1
1.	What is the EEO-1 Component 1 Report? .....	1
2.	What is the 2021 EEO-1 Component 1 Report filing deadline? .....	1
3.	What happens once the Tuesday, May 17, 2022 deadline passes? Will I still be permitted to submit my 2021 EEO-1 Component 1 Report(s) if I have been unable to do so by the May 17, 2022 published deadline?.....	1
4.	Is EEO-1 Component 1 data confidential? .....	1
II.	Who Should File? .....	2
5.	Which employers are required to file the EEO-1 Component 1 Report?.....	2
6.	Does a company need to file an EEO-1 Component 1 Report if it has less than 100 employees but is associated with another company(s) or a parent company where the entire enterprise employs a total of 100 or more employees? .....	3
7.	Are there any employers exempt from filing the EEO-1 Component 1 Report?... 3	
8.	I received an EEO-1 Component 1 notification letter, but my company does not meet the filing requirements. What should I do? .....	3
9.	I received an email from EEOC regarding the opening of the EEO-1 Component 1 Data Collection. I am not sure if my company is eligible.....	4
10.	My company ceased operations and is no longer in business, but I received a 2021 EEO-1 Component 1 notification letter. What should I do?.....	4
11.	My company received a federal grant in 2021. Is a grant a federal contract for EEO-1 Component 1 reporting purposes? .....	4
III.	Preparing to File .....	5
3.1.	Company Information.....	5
12.	What is the significance of the employer identification number (i.e., EIN)? .....	5
13.	What is a NAICS code, and how do I know which NAICS code to select? .....	5
3.2.	How to Count Employees .....	5
14.	What is a workforce snapshot pay period? .....	5
15.	Which workforce snapshot pay period (i.e., pay period) must employers use to extract 2021 EEO-1 Component 1 workforce demographic data?.....	6
16.	Are companies required to select the same workforce snapshot pay period used in prior EEO-1 Component 1 filing years (e.g., 2019, 2020)? .....	6

3.3. Which Employees Must Be Included in the EEO-1 COMPONENT 1 Report? .....	6
17. Are employers required to report data for employees who were employed during the selected workforce snapshot pay period even if they resigned or were terminated after the selected workforce snapshot period? .....	6
18. Must part-time employees be included in the EEO-1 Component 1 Report?.....	6
19. Does the EEO-1 Component 1 Report require data on applicants who were not hired or employed during the selected workforce snapshot pay period? .....	6
20. How should employees who work remotely (i.e., telework) be reported on the 2021 EEO-1 Component 1 Report? .....	7
What if, for example, because of the COVID-19 Pandemic, an employee did not work at any of the employer’s physical work locations? .....	7
What if a remote employee is not assigned to and does not report to any physical location on a permanent basis (i.e., not due to a temporary closure of an establishment)? .....	7
What if an employer operates entirely remotely and does not have any physical location (not even a headquarters office)? How should employees be reported? .....	7
3.4. How to Classify Employees into Categories .....	8
21. How do employers determine an employee’s race and/or ethnicity?.....	8
22. What if employees decline to self-identify their race and/or ethnicity? .....	8
23. Our company is now collecting gender beyond the male/female binary. We would like to report this for the EEO-1 Component 1 2021 data collection. How do we report it? .....	8
24. How do employers classify employees into the job categories listed in the EEO-1 Component 1 Report?.....	8
3.5. Foreign Affiliations.....	9
25. Do employers report establishments or locations that are located outside of the U.S.? .....	9
26. How do employers report employees if the company is foreign-owned?.....	9
3.6. Single or Multi-Establishments.....	9
27. What is an establishment? .....	9
28. What is the difference between a single-establishment and a multi-establishment company? .....	9
29. If a company does business under multiple NAICS codes, do multiple EEO-1 Component 1 Reports need to be file?.....	10

30.	If a company’s headquarters is a holding company with zero employees, is it still necessary to file? .....	10
31.	How do employers report employees who work at client sites? .....	10
32.	How do employers report employees at U.S. government and military locations that are restricted from disclosure? .....	10
33.	My company has several establishments that are located at the same address. Do we submit separate reports for each entity? .....	10
34.	If my organization has a different (i.e., separate) EIN than my parent company’s corporate headquarters, should I file my EEO-1 Component 1 Reports separately? .....	10
35.	My establishment and several other establishments are commonly owned by a parent company. Should each establishment file a separate EEO-1 Component 1 Report under its own Company ID? .....	10
IV.	Getting Started.....	11
4.1.	How Do I File? .....	11
36.	What are the options for submitting the 2021 EEO-1 Component 1 Report? ....	11
37.	Is a company able to file prior year EEO-1 Component 1 Reports (e.g., 2019 and 2020) if it failed to do so before the filing deadline? .....	11
4.2.	Employers (i.e., Companies) Filing for the First Time.....	11
38.	If an employer (i.e., company) has never filed an EEO-1 Component 1 Report before, how can the filer get started? .....	11
39.	If an employer (i.e., company) is required to file the EEO-1 Component 1 Report for the first time, how does a filer obtain an EEO-1 Component 1 Company ID and PIN? .....	11
4.3.	Employers (i.e., Companies) That Have Filed Before .....	12
40.	How can a filer access a company's profile to begin submitting the 2021 EEO-1 Component 1 Report?.....	12
41.	How can filers update a company’s point(s) of contact for the 2021 EEO-1 Component 1 data collection?.....	12
42.	How can a filer view a company's prior year reports? .....	13
43.	Has the issue regarding the display of Type 2 Consolidated Reports in PDF format for some filers who used Type 6 Establishment List Reports and Type 7 Reconciliation Reports for the 2019 and 2020 EEO-1 Component 1 data collections been addressed?.....	13
44.	Are filers able to correct and/or update data provided in prior year EEO-1 Component 1 reports? .....	13

4.4. Account and Log-in Information.....	13
45. How can a filer create a User Account?.....	13
46. What should a filer do if a company did not receive (or cannot locate) the advance notification letter that includes the company PIN? .....	13
47. The company point of contact has changed since the last data collection. How does a company update a point of contact? .....	14
48. Can filers include more than one point of contact to receive all communications?.....	14
V. Company Organizational Changes .....	14
5.1. Acquisitions, Spinoffs, and Mergers .....	14
49. What should a company do if it has experienced an acquisition, spinoff, or merger since the last EEO-1 Component data collection? .....	14
50. If a company has acquired another company (or establishment(s) of another company) since the most recent EEO-1 Component 1 data collection year (i.e., 2020), how should these changes be reflected in this year's EEO-1 Component 1 Report (i.e., 2021)? .....	15
51. We merged with another company to create a completely new company. What EEO-1 Component 1 data is the <i>newly formed</i> company responsible for filing? .....	15
52. Our company acquired another company. Are we now required to submit 2021 EEO-1 Component 1 data for this acquired company? .....	16
53. Our company was spun off from another company (e.g., our former parent company). Are we required to submit 2021 EEO-1 Component 1 data for our spun-off company? .....	16
54. How should companies that experienced acquisitions, spinoffs, or mergers report 2021 EEO-1 Component 1 workforce demographic data when all, or part, of that data is not available? .....	17
VI. Data Submission.....	17
6.1. Troubleshooting: Registration and LogIn .....	17
55. If a filer is new and registered online but didn't receive a Company ID and PIN on the screen, do they need to register again? .....	17
56. What if I forgot my password? .....	17
57. Is the PIN referred to in my notification letter the same as the Passcode I used for the 2019/2020 EEO-1 Component 1 Data Collection?.....	17
6.2. EEO-1 Component 1 Online Filing System.....	17
58. How do filers save entries within the EEO-1 Component 1 Online Filing System?.....	17

59.	I entered incorrect information for one of my company’s establishments. How do I correct this error? .....	18
60.	How can filers print an EEO-1 Component 1 Report for their records?.....	18
61.	How does the <i>EEO-1 Component 1 Online Filing System (OFS)</i> indicate filers are finished? .....	18
62.	I am a multi-establishment filer and am in the process of entering the data for each of my establishments. However, I do not see the Type 2 Consolidated Report listed in the Establishment List screen. ....	18
63.	How should I report employees who work at the headquarters location? .....	18
6.3.	Report Types Overview .....	19
64.	How many EEO-1 Component 1 Reports is a single-establishment company required to submit? .....	19
65.	100. How many EEO-1 Component 1 Reports is a multi-establishment company required to Submit? .....	19
66.	Are filers still permitted to submit a Type 6 Establishment List Report for establishments with fewer than 50 employees?.....	20
6.4.	Determining if a Report should be Filed.....	20
67.	Does a company have to file a report for an establishment if it has zero employees? .....	20
68.	If some establishments have different Employer Identification Numbers (EINs) from the company’s headquarters, do filers need to provide this information in each establishment report? .....	21
69.	If a company has several establishments, can they report the entire workforce on the company’s Headquarters Report?.....	21
6.5.	Certification .....	21
70.	What happens if a filer does not complete the “Certify EEO-1 Component 1 Reports” step? .....	21
VII.	Considerations for Third-Party Human Resource Organizations (e.g., PEOs, HROs, ASOs) .....	22
71.	Has the EEOC made any updates to the 2021 reporting procedures for third-party human resource organizations (e.g., PEOs, HROs, ASOs)? .....	22

# I. ABOUT THE EEO-1 COMPONENT 1 REPORT

## 1. What is the EEO-1 Component 1 Report?

Since 1966, the EEOC has required eligible employers to submit workforce demographic data on an annual basis. All private employers that are covered by Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, *et. seq.*, as amended (Title VII) and that have 100 or more employees are required to file the EEO-1 Component 1 Report. In addition, the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) regulations require certain federal contractors to file the EEO-1 Component 1 Report if they have 50 or more employees and are not exempt as provided for by 41 CFR 60-1.5.

Employers meeting the reporting thresholds have a legal obligation to submit annual workforce demographic data on their employees by race/ethnicity, sex, and job category. The data include seven race/ethnicity categories and 10 job categories. EEO-1 Component 1 data are used by the EEOC to investigate charges of employment discrimination against employers and to provide information about the employment status of minorities and women.

## 2. What is the 2021 EEO-1 Component 1 Report filing deadline?

The deadline for submitting and certifying the 2021 EEO-1 Component 1 Report is **Tuesday, May 17, 2022**.

## 3. What happens once the Tuesday, May 17, 2022 deadline passes? Will I still be permitted to submit my 2021 EEO-1 Component 1 Report(s) if I have been unable to do so by the May 17, 2022 published deadline?

Yes. Following the May 17, 2022 published deadline, the EEOC will enter the "failure to file" phase. All filers who have not submitted and certified their mandatory 2021 EEO-1 Component 1 Report(s) by the Tuesday, May 17, 2022 published deadline will receive a notice of failure to file instructing them to submit and certify their data **AS SOON AS POSSIBLE**, and **NO LATER THAN TUESDAY, JUNE 21, 2022**. This additional time, through Tuesday, June 21<sup>st</sup>, 2022, will be available to **ALL** filers who have not submitted and certified their 2021 EEO-1 Component 1 Report(s) by the May 17, 2022 published deadline.

Please be advised that **AFTER** the June 21, 2022 deadline passes, **NO** additional 2021 EEO-1 Component 1 Reports will be accepted, and eligible filers will be out of compliance with their mandatory 2021 EEO-1 Component 1 filing obligation.

## 4. Is EEO-1 Component 1 data confidential?

Yes. 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.

## II. WHO SHOULD FILE?

### 5. Which employers are required to file the EEO-1 Component 1 Report?

The Employer Information Report (EEO-1), Standard Form 100, Component 1, must be filed by:

All **private employers**<sup>1</sup> who are:

(1) subject to Title VII of the Civil Rights Act of 1964, as amended, with 100 or more employees EXCLUDING State and local governments, public primary and secondary school systems, institutions of higher education, American Indian or Alaska Native tribes, and tax-exempt private membership clubs other than labor organizations;

-- **OR** --

(2) subject to Title VII who have fewer than 100 employees if the company is owned or affiliated with another company, or there is centralized ownership, control or management (such as central control of personnel policies and labor relations) so that the group legally constitutes a single enterprise and the entire enterprise employs a total of 100 or more employees.

All **federal contractors**<sup>2</sup> who:

(1) are not exempt as provided for by 41 CFR 60-1.5;

(2) have 50 or more employees;

(3) are prime contractors<sup>3</sup> or first tier subcontractors; -- **AND** --

(4) have a contract, subcontract, or purchase order amounting to \$50,000 or more; **or** serve as depositories of Government funds in any amount; **or** are financial institutions which are issuing and paying agents for U.S. Savings Bonds and savings notes.

Establishments located in the District of Columbia and the 50 states are required to submit Employer Information Report (EEO-1), Standard Form 100. No reports should be filed for establishments in Puerto Rico, the Virgin Islands, or other American Protectorates.

---

<sup>1</sup> Appendix A of the EEO-1 Component 1 Instruction Booklet outlines the definition of an employer for the purposes of filing the Employer Information Report (EEO-1), Standard Form 100.

<sup>2</sup> Appendix B of the EEO-1 Component 1 Instruction Booklet outlines the federal contractors subject to executive order 11246 and required to file Employer Information Report (EEO-1) Standard Form 100.

<sup>3</sup> Appendix C of the EEO-1 Component 1 Instruction Booklet outlines the responsibilities of prime contractors for the purposes of filing the Employer Information Report (EEO-1), Standard Form 100.



**6. Does a company need to file an EEO-1 Component 1 Report if it has less than 100 employees but is associated with another company(s) or a parent company where the entire enterprise employs a total of 100 or more employees?**

Yes. If a company is affiliated through common ownership and/or centralized management with other entities in an enterprise with a total employment of 100 or more employee, the common ownership and/or centralized management headquarters must file the EEO-1 Component 1 Report for all its associated entities (e.g., the headquarters or parent company must file for all its subsidiaries and establishments/locations).

**7. Are there any employers exempt from filing the EEO-1 Component 1 Report?**

Please review the [2021 EEO-1 Component 1 Instruction Booklet](#) for the eligibility requirements, including the legal basis for the requirements in Appendix F. For example, institutions of higher education, American Indian or Alaska Native tribes, and tax-exempt private membership clubs other than labor organizations are exempt from filing EEO-1 Component 1 Reports.

In addition to the EEO-1 Component 1 Report, the EEOC also collects workforce demographic data from certain other organizations (i.e., local referral unions; State and local governments; and public elementary and secondary school districts) through the EEO-3, EEO-4, and EEO-5 Reports respectively. If you are one of these organizations and have received an EEO-1 Component 1 notice to file, please contact the EEO-1 Component 1 Filer Support Help Desk via the [Message Center](#).

**8. I received an EEO-1 Component 1 notification letter, but my company does not meet the filing requirements. What should I do?**

An employer who receives a 2021 EEO-1 Component 1 notification letter but believes it is not required to file **must** access the *EEO-1 Component 1 Online Filing System (OFS)* to complete the eligibility screener. If the screener confirms eligibility, the employer must follow the prompts to complete and certify its data submission. If the eligibility screener indicates the employer is ineligible to file, the employer must certify that its company is ineligible via the OFS. Failure to certify ineligibility through the OFS will result in future prompts to file the EEO-1 Component 1 Report.

Employers that have previously filed an EEO-1 Component 1 Report must complete the eligibility screener within the *Confirm Company Details* step. This step can be accessed via the *Company Dashboard*. Users will need to first complete the *Confirm Company Contacts* step to update the contacts associated with the company.

Users can access the *Company Dashboard* by selecting the company from the *Company List*. Please follow the instructions below to access the *Company List*:

- Individuals filing on behalf of their company for the first time must access the *Company List* by first creating a user account. Users can add a company to their user account by selecting “Add Company to List” (or “Add Company” if no companies listed) from the *Your Company List* page.
- Individuals with existing user accounts must use their email address and password to log in to their user account to access the *Your Company List* page. Previously linked companies will appear in *Your Company List*.

## **9. I received an email from EEOC regarding the opening of the EEO-1 Component 1 Data Collection. I am not sure if my company is eligible.**

For a complete list of eligibility rules, see [Who Must File?](#) in the EEO-1 Component 1 Instruction Booklet. An employer who receives a 2021 EEO-1 Component 1 notification letter but believes it is not required to file **must** access the *EEO-1 Component 1 Online Filing System (OFS)* to complete the eligibility screener. If the screener confirms eligibility, the employer must follow the prompts to complete and certify its data submission. If the eligibility screener indicates the employer is ineligible to file, the employer must certify that its company is ineligible in the OFS. Failure to certify ineligibility through the OFS will result in future prompts to file the EEO-1 Component 1 Report.

Employers that have previously filed an EEO-1 Component 1 Report must complete the eligibility screener within the *Confirm Company Details* step. This step can be accessed via the *Company Dashboard*. Users will need to first complete the *Confirm Company Contacts* step to update the contacts associated with the company.

Users can access the *Company Dashboard* by selecting the company from the *Company List*. Please follow the below instructions to access the *Company List*:

- Individuals filing on behalf of their company for the first time must access the *Company List* by first creating a User Account. Users can add a company to their User Account by selecting “Add Company to List” or “Add Company” from the *Your Company List* page.

Individuals with existing User Accounts must use their email address and password to log in to their User Account to access the *Your Company List* page. Previously linked companies will appear in *Your Company List*.

## **10. My company ceased operations and is no longer in business, but I received a 2021 EEO-1 Component 1 notification letter. What should I do?**

An employer who receives a 2021 EEO-1 Component 1 notification letter but has ceased operations and is no longer in business **must** 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. Failure to certify ineligibility through the OFS will result in future prompts to file the EEO-1 Component 1 Report.

## **11. My company received a federal grant in 2021. Is a grant a federal contract for EEO-1 Component 1 reporting purposes?**

As detailed in the *2021 EEO-1 Component 1 Instruction Booklet*, 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 demographics including data by race/ethnicity, sex, and job categories. The filing by eligible employers of the EEO-1 Component 1 Report is required under section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-8(c), and 29 CFR 1602.7-14 and 41 CFR 60-1.7(a). Filers with questions regarding the eligibility requirements for federal contractors should refer to the *2021 EEO-1 Component 1 Instruction Booklet* for additional information as well as the specific regulations cited therein to determine whether their company has a federal contract.

## III. PREPARING TO FILE

### 3.1. COMPANY INFORMATION

#### 12. What is the significance of the employer identification number (i.e., EIN)?

The employer identification number (EIN) is a unique, nine-digit identifier given to all companies that operate in the U.S. It is assigned by the IRS and is needed by all companies that have employees and certain others with no employees.

Filers must provide the EIN for each company establishment that has a different address and/or NAICS code.

#### 13. What is a NAICS code, and how do I know which NAICS code to select?

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

Companies that operate in more than one location may have different industries assigned to their locations. For example, a coffee company may have locations for retail distribution of their products, locations for roasting and processing the coffee beans, as well as locations associated with warehousing supplies used by other aspects of the business's operations. In this example, each of these locations would have a different NAICS code.

Each establishment should have an appropriate NAICS code associated with it. NAICS codes are updated by the U.S. Office of Management and Budget (OMB) every five years (in years that end in 2 or 7). For the 2021 EEO-1 Component 1 Report, the 2017 NAICS codes should be used. To identify the correct NAICS code for each establishment, you can search using keywords for your business using the U.S. Bureau of Labor Statistics (BLS) Industry Look-up tool ([https://data.bls.gov/cew/apps/bls\\_naics/v2/bls\\_naics\\_app.htm](https://data.bls.gov/cew/apps/bls_naics/v2/bls_naics_app.htm)) or the NAICS industry look-up site (<https://www.naics.com/search/>).

### 3.2. HOW TO COUNT EMPLOYEES

#### 14. What is a workforce snapshot pay period?

Workforce demographic data (i.e., employee race/ethnicity and sex data by job category) must include all full-time and part-time employees who were employed during the pay period selected by the employer between October 1<sup>st</sup> and December 31<sup>st</sup> of the reporting year (i.e., the "workforce snapshot pay period"). Employees must be counted by sex and race/ethnicity within the 10 specified job categories. The workforce snapshot pay period for the 2021 EEO-1 Component 1 Report would be an employer-selected pay period between October 1, 2021 and December 31, 2021.

**15. Which workforce snapshot pay period (i.e., pay period) must employers use to extract 2021 EEO-1 Component 1 workforce demographic data?**

Workforce demographic data (i.e., employee race/ethnicity and sex data by job category) must include all full-time and part-time employees who were employed during the pay period selected by the employer between October 1<sup>st</sup> and December 31<sup>st</sup> of the reporting year (i.e., the “workforce snapshot pay period”). Employees must be counted by sex and race/ethnicity within the 10 specified job categories. The workforce snapshot pay period for the 2021 EEO-1 Component 1 Report would be an employer-selected pay period between October 1, 2021 and December 31, 2021.

**16. Are companies required to select the same workforce snapshot pay period used in prior EEO-1 Component 1 filing years (e.g., 2019, 2020)?**

No. Companies may select a different workforce snapshot pay period for the 2021 EEO-1 Component 1 Report. However, the workforce snapshot pay period selected must be from a pay period between October 1, 2021 and December 31, 2021.

**3.3. WHICH EMPLOYEES MUST BE INCLUDED IN THE EEO-1 COMPONENT 1 REPORT?**

**17. Are employers required to report data for employees who were employed during the selected workforce snapshot pay period even if they resigned or were terminated after the selected workforce snapshot period?**

Yes. If an employee was employed at during the selected workforce snapshot period, they should be included in the employee counts provided on the 2021 EEO-1 Component 1 Report even if the employee resigned or was terminated after the selected workforce snapshot period.

**18. Must part-time employees be included in the EEO-1 Component 1 Report?**

Yes. Both full- and part-time employees must be included in the EEO-1 Component 1 Report.

**19. Does the EEO-1 Component 1 Report require data on applicants who were not hired or employed during the selected workforce snapshot pay period?**

No. The EEO-1 Component 1 Report only requires data on employees who were employed with the company during the selected workforce snapshot pay period.

## 20. How should employees who work remotely (i.e., telework) be reported on the 2021 EEO-1 Component 1 Report?

Employees who work remotely (i.e., telework) must be included in the 2021 EEO-1 Component 1 Report for the establishment to which they report. Under no circumstances, should an employee's home address be reported on any EEO-1 Component 1 report.

### WHAT IF, FOR EXAMPLE, BECAUSE OF THE COVID-19 PANDEMIC, AN EMPLOYEE DID NOT WORK AT ANY OF THE EMPLOYER'S PHYSICAL WORK LOCATIONS?

Generally, and in most instances, the temporary closure of a physical work site will not affect how employees are counted on the EEO-1 Component 1 Report. The fact that most, or even all, employees are teleworking would 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 EEO-1 Component 1 establishment report for the physical location to which they are assigned or report. If the employer has closed an establishment and reassigned employees 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. **Under no circumstances**, should an employee's home address be reported on any EEO-1 Component 1 report.

### WHAT IF A REMOTE EMPLOYEE IS NOT ASSIGNED TO AND DOES NOT REPORT TO ANY PHYSICAL LOCATION ON A PERMANENT BASIS (I.E., NOT DUE TO A TEMPORARY CLOSURE OF AN ESTABLISHMENT)?

In those circumstances, 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 Type 3 Headquarters Report. **Under no circumstances**, should an employee's home address be reported on any EEO-1 Component 1 report.

### WHAT IF AN EMPLOYER OPERATES ENTIRELY REMOTELY AND DOES NOT HAVE ANY PHYSICAL LOCATION (NOT EVEN A HEADQUARTERS OFFICE)? HOW SHOULD EMPLOYEES BE REPORTED?

In such a situation, employees should be included on the Type 3 Headquarters Report. For purposes of the EEO-1 Component 1 report, the employer should report the address where the business is legally registered, for example, a Post Office box in lieu of a physical address. **Under no circumstances**, should an employee's home address be reported on any EEO-1 Component 1 report.

### 3.4. HOW TO CLASSIFY EMPLOYEES INTO CATEGORIES

#### 21. How do employers determine an employee's race and/or ethnicity?

Self-identification is the preferred method of identifying race and/or ethnicity information necessary for the EEO-1 Component 1 Report. Employers are required to attempt to allow employees to use self-identification to complete the EEO-1 Component 1 Report.

As to the method of collecting data, the basic principles for race and/or ethnicity self-identification for purposes of the EEO-1 Component 1 Report are: (1) offer employees the opportunity to self-identify, and (2) provide a statement about the voluntary nature of this inquiry for employees.

#### 22. What if employees decline to self-identify their race and/or ethnicity?

Self-identification is the preferred method of identifying race and ethnicity information necessary for the EEO-1 Component 1 Report. Employers are required to offer employees the opportunity to use self-identification to complete the EEO-1 Component 1 Report. However, if an employee declines to self-identify their race and/or ethnicity, employment records or observer identification may be used. Where records are maintained, it is recommended that they be kept separately from the employee's basic personnel file or other records available to those responsible for personnel decisions.

#### 23. Our company is now collecting gender beyond the male/female binary. We would like to report this for the EEO-1 Component 1 2021 data collection. How do we report it?

Filers may choose to report employee counts for non-binary gender employees by job category and race/ethnicity in the comments box on the Certification Page in the *EEO-1 Component 1 Online Filing System*. Please preface this data with the phrase "Additional Employee Data:". For example, "Additional Employee Data: 1 non-binary gender employee in Job Category Administrative Support Workers; Race/Ethnicity: White (Not Hispanic or Latino). 3 non-binary gender employees in Job Category Professionals; Race/Ethnicity: Employee 1 – Black or African American (Not Hispanic or Latino), Employee 2 – Hispanic or Latino, Employee 3 – Two or More Races (Not Hispanic or Latino)."

#### 24. How do employers classify employees into the job categories listed in the EEO-1 Component 1 Report?

The EEO-1 Component 1 job categories are based on employee skill level, knowledge, and responsibilities. They are designed to reflect common company hierarchies. Employers should select the category which best reflects the job function performed by each employee.

For assistance, please see the [EEO-1 Component 1 Job Classification Guide](#) that maps Standard Occupational Classifications (SOC), occupational titles, and three-digit Census Job Codes to the EEO-1 Component 1 Job Categories.

Detailed descriptions of the job classifications can also be found in Appendix E of the 2021 EEO-1 Component 1 [Instruction Booklet](#).

### 3.5. FOREIGN AFFILIATIONS

#### 25. Do employers report establishments or locations that are located outside of the U.S.?

No. Companies should not include establishments or locations that are outside of the 50 United States or the District of Columbia. No reports should be filed for establishments in Puerto Rico, the Virgin Islands, or other American Protectorates.

#### 26. How do employers report employees if the company is foreign-owned?

For companies that are foreign-based without a US-based headquarters, each subsidiary or holding within the U.S. must file its own EEO-1 Component 1 Report. In this instance, one subsidiary may take responsibility for filing for all company entities within the U.S., but the companies are not required to file jointly. However, if there is an established U.S.-based headquarters, the headquarters is responsible for filing for any and all subsidiaries/holdings in the U.S.

### 3.6. SINGLE OR MULTI-ESTABLISHMENTS

#### 27. What is an establishment?

An establishment is generally a single physical location where business is conducted or where services or industrial operations are performed. Units or offices at different physical locations, even though engaged in the same kind of business operation, must be reported as separate establishments.

For businesses involving physically dispersed individual activities (e.g., construction; transportation; communications; electric, gas, and sanitary services; and oil and gas fields), it is only necessary to report individual work sites if they are treated as separate legal entities of the company. In these circumstances, the establishment for these employees is the location:

- a. directly responsible for supervising dispersed activities; or,
- b. the base from which personnel and equipment operate to carry out these activities (Where these dispersed activities cross state lines, at least one such establishment should be listed for each state involved.)

#### 28. What is the difference between a single-establishment and a multi-establishment company?

A single-establishment company does business at only one physical address. A multi-establishment company does business at two or more physical addresses.

Single-establishment companies are only required to submit one EEO-1 Component 1 data report. Multi-establishment companies are required to submit: (a) a separate report for the headquarters, (b) a separate report for each establishment of the company with 50 or more employees, (c) a separate report for each establishment of the company with fewer than 50 employees, **and** (d) a consolidated report that includes all employees across all locations.

**29. If a company does business under multiple NAICS codes, do multiple EEO-1 Component 1 Reports need to be file?**

EEO-1 Component 1 reports are based on physical locations. If one location has multiple NAICS codes, the filer must use the NAICS code under which the greatest number of employees operate.

**30. If a company's headquarters is a holding company with zero employees, is it still necessary to file?**

Yes. Filing requirements for the EEO-1 Component 1 Report are based on employee counts across all locations of the company. If a company meets the employee thresholds for filing, then they must file even if their headquarters is a holding company.

**31. How do employers report employees who work at client sites?**

Employers have the option to report employees working at client sites by: (1) using the client site address as the location of the establishment, or (2) reporting those employees at a non-client site employer address.

**32. How do employers report employees at U.S. government and military locations that are restricted from disclosure?**

When reporting employees located at military sites considered confidential, employers may enter "SECRET" or "CONFIDENTIAL" in the address field and enter the actual city, state, and zip code of the military site address.

**33. My company has several establishments that are located at the same address. Do we submit separate reports for each entity?**

If establishments are located at the same address (including suite number) AND have both the same North American Industry Classification System (NAICS) code and the same EIN, the establishments MUST be combined into a single report. These are considered one establishment for EEO-1 Component 1 reporting.

**34. If my organization has a different (i.e., separate) EIN than my parent company's corporate headquarters, should I file my EEO-1 Component 1 Reports separately?**

No. Your parent company's corporate headquarters is responsible for filing EEO-1 Component 1 reports for your company as well as any other commonly owned, controlled, managed, or affiliated subsidiaries/holdings.

**35. My establishment and several other establishments are commonly owned by a parent company. Should each establishment file a separate EEO-1 Component 1 Report under its own Company ID?**

If an establishment is affiliated through common ownership and/or centralized management with other entities in an enterprise with a total employment of 100 or more, the common ownership headquarters must file the EEO-1 Component 1 Report. The headquarters or parent company must file for all its subsidiaries and establishments/locations under the parent company's Company ID.



## IV. GETTING STARTED

### 4.1. HOW DO I FILE?

#### 36. What are the options for submitting the 2021 EEO-1 Component 1 Report?

The EEOC requires that EEO-1 Component 1 Reports be submitted electronically via the *EEO-1 Component 1 Online Filing System (OFS)*, accessible at <https://eeocdata.org/eeo1>. Returning users will be required to reset their password when logging in for the first time during the 2021 EEO-1 Component 1 reporting period. New users will be required to create an individual user account to access the *EEO-1 Component 1 Online Filing System (OFS)*. Once registered, workforce demographic data (i.e., employee race/ethnicity and sex data by job category) can be entered directly into the online application or submitted as an electronically uploaded data file.

#### 37. Is a company able to file prior year EEO-1 Component 1 Reports (e.g., 2019 and 2020) if it failed to do so before the filing deadline?

No. Filers may not submit EEO-1 Component 1 data for previous years once the data collection for that reporting year has closed. For example, the 2019/2020 EEO-1 Component 1 data collections have closed and no additional reports can be submitted.

### 4.2. EMPLOYERS (I.E., COMPANIES) FILING FOR THE FIRST TIME

#### 38. If an employer (i.e., company) has never filed an EEO-1 Component 1 Report before, how can the filer get started?

New users will be required to create an individual user account to access the *EEO-1 Component 1 Online Filing System (OFS)*. This can be done by visiting <https://eeocdata.org/eeo1/signin> and selecting “Create an Account.” After creating an account and signing in to the *EEO-1 Component 1 OFS*, users can register a new company by selecting “Add Company to List” on the Home screen. Users should have the Company Name, Headquarters Address, and Employer Identification Number (EIN) available to complete the New Company Registration process.

Please Note: If the company’s Employer Identification Number (EIN) is associated with an existing company record, the New Company Registration process cannot be completed. Please contact the Filer Support Team via the EEO-1 Component 1 *Message Center* for assistance.

#### 39. If an employer (i.e., company) is required to file the EEO-1 Component 1 Report for the first time, how does a filer obtain an EEO-1 Component 1 Company ID and PIN?

New users will be required to create an individual user account to access the *EEO-1 Component 1 Online Filing System (OFS)*. This can be done by visiting <https://eeocdata.org/eeo1/signin> and selecting “Create an account.” After creating an account and signing in to the *EEO-1 Component 1 OFS*, users can register a new company by selecting “Add Company to List” on the Home screen. During the new company registration process, filers are provided with a Company ID and PIN. The Company ID and PIN can be used by other users to link their User Account with the Company Profile.

### 4.3. EMPLOYERS (I.E., COMPANIES) THAT HAVE FILED BEFORE

#### 40. How can a filer access a company's profile to begin submitting the 2021 EEO-1 Component 1 Report?

All filers must have a registered account in the *EEO-1 Component 1 Online Filing System (OFS)* to access company records and/or file their EEO-1 Component 1 Report(s).

##### Returning Users

Returning users may sign in to the *EEO-1 Component 1 Online Filing System (OFS)* by visiting <https://eeocdata.org/eeo1/signin> and entering the email address and password they established for the 2019/20 EEO-1 Component 1 data collection. Returning users will be prompted to reset their password before proceeding. If you do not know your password, select "Forgot Password."

##### New Users

New users will be required to create an individual user account to access the *EEO-1 Component 1 Online Filing System (OFS)*. This can be done by visiting <https://eeocdata.org/eeo1/signin> and selecting "Create an Account." After creating an account and signing in to the *EEO-1 Component 1 OFS*, new users can link their individual user account to a company record by selecting "Add Company to List" on the Home screen and entering the Company ID and PIN provided on their company's annual notification letter sent via U.S. postal mail and email in early April 2022. In lieu of the Company ID and PIN, users can link a company to their account by completing the "Change of Contact" form that can be accessed by selecting "Add Company to List" on the *Your Company List* page. Please follow the onscreen instructions to access the form and complete a Change of Contact request.

Please Note: A Change of Contact request must be reviewed by the Filer Support Team and may take up to 5-7 business days to be approved.

#### 41. How can filers update a company's point(s) of contact for the 2021 EEO-1 Component 1 data collection?

Users who have access to the company in the *EEO-1 Component 1 Online Filing System (OFS)* can update the company's contacts by selecting the appropriate company from the *Your Company List* page. On the *Company Dashboard* page, select the "Review Company Contacts" step. To add a new company contact, select "Add New Contact." To update or delete an existing company contact, select "Edit/Delete" next to the appropriate contact.

If an individual needs to update a company's point(s) of contact and does not currently have access to the company in the *EEO-1 Component 1 OFS*, the individual can visit <https://eeocdata.org/eeo1> and select "Get Started" to create and/or log in to their user account. Once logged in, users should select "Add Company to List" on the *Your Company List* page. Filers should follow the prompts to link their user account to the company. After successfully linking to a company, the user can select the company on the *Your Company List* page. On the *Company Dashboard* page, select the "Review Company Contacts" step. To add a new company contact, select "Add New Contact." To update or delete an existing company contact, select "Edit/Delete" next to the appropriate contact.

#### **42. How can a filer view a company's prior year reports?**

If a company has filed in the past, EEO-1 Component 1 Reports from the following years are available in the *EEO-1 Component Online Filing System (OFS)*: 2015, 2016, 2017, 2018, 2019, and 2020. Select the company in *Your Company List* to access the *Company Dashboard*, and click on “Historic Component 1 Reports” to download prior year reports.

#### **43. Has the issue regarding the display of Type 2 Consolidated Reports in PDF format for some filers who used Type 6 Establishment List Reports and Type 7 Reconciliation Reports for the 2019 and 2020 EEO-1 Component 1 data collections been addressed?**

Yes. Some filers who used Type 6 Establishment List and Type 7 Reconciliation Reports during the 2019 and 2020 EEO-1 Component 1 data collections identified issues when viewing their Type 2 Consolidated Report in PDF format. For those filers, the PDF format of the Type 2 Consolidated Report did not properly display the reconciled data that some filers provided. This issue *only* impacted the display of data when viewed in the PDF format of the Type 2 Consolidated Report.

This issue has been resolved, and any impacted filers will be able to view their 2019/2020 EEO-1 Component 1 Type 2 Consolidated Report in the proper PDF format by selecting the company in *Your Company List* within the *EEO-1 Component 1 Online Filing System* and then selecting “Historic EEO-1 Component 1 Reports” from the *Company Dashboard*.

#### **44. Are filers able to correct and/or update data provided in prior year EEO-1 Component 1 reports?**

No. Filers (i.e., companies) are not able to correct or update data reported in prior year EEO-1 Component 1 reports (e.g., 2019, 2020).

### **4.4. ACCOUNT AND LOG-IN INFORMATION**

#### **45. How can a filer create a User Account?**

New users will be required to create an individual user account to access the *EEO-1 Component 1 Online Filing System (OFS)*. This can be done by visiting <https://eeocdata.org/eeo1/signin> and selecting “Create an Account.” After creating an account and signing in to the *EEO-1 Component 1 OFS*, users can add a company to their list, communicate with the Filer Support Team via the *Message Center*, and access additional resources.

#### **46. What should a filer do if a company did not receive (or cannot locate) the advance notification letter that includes the company PIN?**

U.S. postal letters containing Company ID and PIN were mailed in early April 2022 to the company address on file. If a filer completed the 2019/2020 EEO-1 Component 1 Report, the company may already be associated with the filer’s User Account. Visit <https://eeocdata.org/eeo1/signin> to log in using the email address and password used in the 2019/2020 EEO-1 Component 1 Data Collection. If a company does not appear in the *Company List*, select “Add Company to List” and follow the instructions to associate the company with your user account.

Filers that did not access the *EEO-1 Component 1 Online Filing System (OFS)* during the 2019/2020 EEO-1

Component 1 Data Collection can visit <https://eeocdata.org/eeo1/> and select “Get Started” to create a User Account. Once a filer logs in to their User Account, new filers can add a company to the *Your Company List* page by selecting “Add Company to List” from the *Your Company List* page. Filers should follow the online instructions after selecting this option. The instructions will help filers link a Company Profile to a user account.

**47. The company point of contact has changed since the last data collection. How does a company update a point of contact?**

Users who have access to the company in the *EEO-1 Component 1 Online Filing System (OFS)* can update the company’s contacts by selecting the appropriate company from the *Your Company List* page. On the *Company Dashboard* page, select the “Review Company Contacts” step. To add a new company contact, select “Add New Contact.” To update or delete an existing company contact, select “Edit/Delete” next to the appropriate contact. Please note that each company must have one Primary Contact.

If an individual needs to update a company’s point(s) of contact and does not currently have access to the company in the *EEO-1 Component 1 OFS*, the individual can visit <https://eeocdata.org/eeo1/> and select “Get Started” to create and/or log in to their user account. Once logged in, users should select “Add Company to List” on the *Your Company List* page. Filers should follow the prompts to link their user account to the company. After successfully linking to a company, the user can select the company on the *Your Company List* page. On the *Company Dashboard* page, select the “Review Company Contacts” step. To add a new company contact, select “Add New Contact.” To update or delete an existing company contact, select “Edit/Delete” next to the appropriate contact.

**48. Can filers include more than one point of contact to receive all communications?**

Yes. The EEOC strongly encourages filers (i.e., companies) to include more than one person as the point of contact to ensure critical notifications about the EEO-1 Component 1 data collection are received by the filer’s organization.

## **V. COMPANY ORGANIZATIONAL CHANGES**

### **5.1. ACQUISITIONS, SPINOFFS, AND MERGERS**

**49. What should a company do if it has experienced an acquisition, spinoff, or merger since the last EEO-1 Component data collection?**

If your company has experienced an acquisition, spinoff, or merger since the 2020 EEO-1 Component 1 data collection, please utilize the 2021 *EEO-1 Component 1 Online Filing System* “Report Acquisition, Spinoff, or Merger” module. At the end of the module, filers will be provided detailed guidance on how to accurately report any such changes.

**50. If a company has acquired another company (or establishment(s) of another company) since the most recent EEO-1 Component 1 data collection year (i.e., 2020), how should these changes be reflected in this year's EEO-1 Component 1 Report (i.e., 2021)?**

Previously unreported acquisitions that occurred since the 2020 EEO-1 Component 1 data collection (should be reported in the 2021 *EEO-1 Component 1 Online Filing System* in the "Report Acquisition, Spinoff, or Merger" module. At the end of the module, filers will be provided detailed guidance on how to report the acquisition.

**51. We merged with another company to create a completely new company. What EEO-1 Component 1 data is the *newly formed* company responsible for filing?**

If the merger was completed before the newly formed company's 2021 EEO-1 Component 1 workforce snapshot pay period (i.e., an employer-selected pay period between October 1, 2021 and December 31, 2021):

- If the newly formed company meets EEO-1 Component 1 eligibility requirements, it is responsible for submitting 2021 EEO-1 Component 1 data under a new company number.

If the merger was completed after the newly formed company's 2021 EEO-1 Component 1 workforce snapshot pay period:

- If the newly formed company meets EEO-1 Component 1 eligibility requirements, it is responsible for submitting 2021 EEO-1 Component 1 data under a new company number.
- If the newly formed company is eligible to file and **has access** to the 2021 EEO-1 Component 1 workforce snapshot data for one or more of the companies that merged, it is responsible for submitting the 2021 EEO-1 Component 1 data for those companies.
- If the newly formed company is eligible to file and **does not have access** to the 2021 EEO-1 Component 1 workforce snapshot data for one or more of the companies that merged, it should note this in the comments box on the certification page in the *EEO-1 Component 1 Online Filing System*.

## 52. Our company acquired another company. Are we now required to submit 2021 EEO-1 Component 1 data for this acquired company?

If the acquisition was completed before the newly acquired company's 2021 EEO-1 Component 1 workforce snapshot pay period (i.e., an employer-selected pay period between October 1, 2021 and December 31, 2021):

- If the acquiring company meets EEO-1 Component 1 eligibility requirements, it is responsible for submitting 2021 EEO-1 Component 1 data for itself and the newly acquired company.

If the acquisition was completed after the newly acquired company's 2021 EEO-1 Component 1 workforce snapshot pay period:

- If the acquiring company meets EEO-1 Component 1 eligibility requirements, it is responsible for submitting 2021 EEO-1 Component 1 data for itself and the newly acquired company.
- If the acquiring company is eligible to file and **has access** to the 2021 EEO-1 Component 1 workforce snapshot data for the acquired company, it is responsible for submitting the 2021 EEO-1 Component 1 data for that company.
- If the acquiring company is eligible to file and **does not have access** to the 2021 EEO-1 Component 1 workforce snapshot data for the company that it acquired, it should note this in the comments box on the certification page in the *EEO-1 Component 1 Online Filing System*.

## 53. Our company was spun off from another company (e.g., our former parent company). Are we required to submit 2021 EEO-1 Component 1 data for our spun-off company?

If the spinoff was completed before the spun off company's 2021 EEO-1 Component 1 workforce snapshot pay period (i.e., an employer-selected pay period between October 1, 2021 and December 31, 2021):

- If the spun off company meets EEO-1 Component 1 eligibility requirements, it is responsible for submitting its 2021 EEO-1 Component 1 data under its own company number.

If the spinoff was completed after the spun off company's 2021 EEO-1 Component 1 workforce snapshot pay period:

- If the spun off company meets EEO-1 Component 1 eligibility requirements, it is responsible for submitting its 2021 EEO-1 Component 1 data under its own company number.
- If the spun off company is eligible to file and **has access** to its 2021 EEO-1 Component 1 workforce snapshot data, it is responsible for submitting the 2021 EEO-1 Component 1 data for that company.
- If the spun off company is eligible to file and **does not have access** to its 2021 EEO-1 Component 1 workforce snapshot data, it should note this in the comments box on the certification page in the *EEO-1 Component 1 Online Filing System*.

#### **54. How should companies that experienced acquisitions, spinoffs, or mergers report 2021 EEO-1 Component 1 workforce demographic data when all, or part, of that data is not available?**

When a company experiences an acquisition, spinoff, or merger and does not have access to all or part of the required 2021 EEO-1 Component 1 data for an acquired, spun off, or former company, employers should note this in the comments box on the certification page in the 2021 EEO-1 Component 1 Online Filing System.

## **VI. DATA SUBMISSION**

### **6.1. TROUBLESHOOTING: REGISTRATION AND LOGIN**

#### **55. If a filer is new and registered online but didn't receive a Company ID and PIN on the screen, do they need to register again?**

No. After registering an account, filers should be able to log in to the account using the username (email address) and the User Account password created in the account creation process. After logging in to the *EEO-1 Component 1 Online Filing System (OFS)*, filers can access their Company ID.

However, if after linking a company to an account, that company is not listed on the Company List when a filer logs in to a User Account, please use the *Message Center* to contact the EEO-1 Component 1 Filer Support Team so they can look up the filer information and provide the Company ID and PIN via email.

#### **56. What if I forgot my password?**

To recover a password, a registered user would select "Forgot Password?" on the [EEO-1 Component 1 Login page](#). This directs filers to the password recovery page that will request the registered user's email address used to create the User Account. You will enter the email address associated with the User Account and select "Send." The *EEO-1 Component 1 Online Filing System (OFS)* will send a password reset link to the email address. Follow the instructions in this email to reset the user password. The password reset link expires at midnight Eastern time.

#### **57. Is the PIN referred to in my notification letter the same as the Passcode I used for the 2019/2020 EEO-1 Component 1 Data Collection?**

Beginning with the 2021 EEO-1 Component 1 Data Collection, filers will be assigned a PIN which will replace the Passcode used in prior collections.

### **6.2. EEO-1 COMPONENT 1 ONLINE FILING SYSTEM**

#### **58. How do filers save entries within the EEO-1 Component 1 Online Filing System?**

As filers advance from one screen to another, the *EEO-1 Component 1 Online Filing System (OFS)* saves filer progress when they click "Next" or "Submit." Filers must select "Next" or "Submit" and advance to the next page to save progress. Filers will need to re-enter data if they navigate away from the *EEO-1 Component 1 Online Filing System (OFS)* before clicking "Next" or "Submit."



**59. I entered incorrect information for one of my company's establishments. How do I correct this error?**

Most company information, including an EIN, can be edited in the *EEO-1 Component 1 Online Filing System (OFS)*. Company ID and Unit Number are the only exceptions – these cannot be edited by filers. To update company information, log in to the *EEO-1 Component 1 Online Filing System (OFS)*, and select a company from the *Your Company List* page. On the *Company Dashboard* page, select the “Confirm Company Details” step. Follow the prompts within this step to confirm or update company information. Instructions on how to edit company information in the *EEO-1 Component 1 Online Filing System (OFS)* can be found in the 2021 EEO-1 Component 1 User’s Guide. The User’s Guide can be accessed from the Resource page on the *Your Company List* page within the *EEO-1 Component 1 Online Filing System (OFS)* or by clicking the folder icon on the top of the screen.

**60. How can filers print an EEO-1 Component 1 Report for their records?**

After certification, filers may print the EEO-1 Component 1 Report by selecting “Report” in the Company Dashboard in the *EEO-1 Component 1 Online Filing System*.

**61. How does the EEO-1 Component 1 Online Filing System (OFS) indicate filers are finished?**

As filers complete each step of the process on the Company 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. Reviewing reports is not required but is strongly encouraged to ensure data accuracy. When the “Certify EEO-1 Component 1 Reports” displays “Go →,” select that step to complete the certification process. Filers will then proceed to a screen to enter Certifying Official information and certify the EEO-1 Component 1 Report. Filers will receive an email indicating that the EEO-1 Component 1 Report was certified.

**62. I am a multi-establishment filer and am in the process of entering the data for each of my establishments. However, I do not see the Type 2 Consolidated Report listed in the Establishment List screen.**

The Type 2 Consolidated Report includes all employees of the company categorized by race/ethnicity, sex, and job category. This report is generated automatically based on the data from the other reports and will appear after all individual establishment reports have been completed.

**63. How should I report employees who work at the headquarters location?**

The Type 3 Headquarters Report must include employees working at the main office site of the company as well as those employees that work remotely but report to the headquarters office. Employment data must be categorized by race/ethnicity, sex and job category. A separate EEO-1 Component 1 Report for the headquarters establishment (i.e., location) is required even if there are fewer than 50 employees working at the headquarters establishment (i.e., location). Employees included in the headquarters report should not be included in any other establishment reports.



## 6.3. REPORT TYPES OVERVIEW

### 64. How many EEO-1 Component 1 Reports is a single-establishment company required to submit?

A single-establishment employer (i.e., an employer conducting business at only one establishment) is required to submit only one EEO-1 Component 1 Report:

**Type 1 Single-Establishment Report (Type 1 Report):** An employer conducting business at only one establishment is permitted to complete and submit one EEO-1 Component 1 Report (i.e., Single-Establishment Report, or “Type 1 Report”). The Type 1 Report must include demographic data for all the employer’s employees categorized by race/ethnicity, sex, and job category.

### 65. 100. How many EEO-1 Component 1 Reports is a multi-establishment company required to Submit?

A multi-establishment employer (i.e., an employer conducting business at more than one establishment) is required to submit all the following types of reports:<sup>4</sup>

**Type 2 Consolidated Report (Type 2 Report):** All multi-establishment employers must submit a Type 2 Consolidated Report. The Type 2 Report must include demographic data for all employees of the employer (i.e., all employees at headquarters as well as all establishments) categorized by race/ethnicity, sex, and job category. In other words, the total number of employees indicated on the Type 3 Headquarters Report, **PLUS** the applicable establishment reports (i.e., Type 4 Establishment and/or Type 8 Establishment Reports) **MUST** equal the total number of employees shown on the Type 2 Consolidated Report.

Employment data for multi-establishment employers, including parent corporations and their subsidiary holdings, must report all employees working at each establishment(s) and subsidiary establishment(s).

**Type 3 Headquarters Report (Type 3 Report):** All multi-establishment employers must submit a Type 3 Headquarters Report. The Type 3 Headquarters Report must include demographic data for all employees working at the main office site (i.e., headquarters) of the employer, as well as any remote employees who report to the employer’s headquarters categorized by race/ethnicity, sex, and job category. A Type 3 Report must be submitted even if there are fewer than 50 employees working at and/or reporting to the headquarters location.

**Type 4 Establishment Report (Type 4 Report):** All multi-establishment employers with establishments with 50 or more employees must submit a Type 4 Establishment Report(s). A Type 4 Report must be submitted for each establishment with 50 or more employees. The Type 4 Report must include employee demographic data for each establishment categorized by race/ethnicity, sex, and job category.

**Type 8 Establishment Report (Type 8 Report):** All multi-establishment employers with establishments with fewer than 50 employees must submit a Type 8 Establishment Report(s). A Type 8 Report must be submitted for each establishment with fewer than 50 employees. The Type 8 Report must include employee demographic data for each establishment categorized by race/ethnicity, sex, and job category.

---

<sup>4</sup> Employment data for multi-establishment employers, including parent corporations and their subsidiary holdings, **must** report all employees working at each establishment(s) and subsidiary establishment(s).

## Discontinuation of the Type 6 Establishment List Report

On January 6, 2022, the EEOC posted an announcement on the dedicated EEO-1 Component 1 home page at <https://eeocdata.org/eeo1/> notifying employers that the agency is discontinuing the EEO-1 Component 1 Type 6 Establishment List Report (“Type 6 Report”) for reporting establishments with fewer than 50 employees. Beginning with the 2021 EEO-1 Component 1 data collection, ALL filers reporting data for establishments with fewer than 50 employees must use a Type 8 Establishment Report (“Type 8 Report”) to submit such data. This change will allow the EEOC to collect more accurate employee demographic data in support of the agency’s mission to prevent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace.

For the 2019 and 2020 EEO-1 Component 1 data collections (which are now closed), the EEOC only permitted filers who had previously submitted a Type 6 Report to do so. All filers who were permitted to submit a Type 6 Report for the 2019/2020 collections were notified via email on January 6, 2022, regarding the discontinuation of the Type 6 Report so these filers may prepare for the opening of the 2021 EEO-1 Component 1 filing using Type 8 Reports.

### **66. Are filers still permitted to submit a Type 6 Establishment List Report for establishments with fewer than 50 employees?**

No. On January 6, 2022, the EEOC posted an announcement on the dedicated EEO-1 Component 1 home page at <https://eeocdata.org/eeo1/> notifying employers that the agency is discontinuing the EEO-1 Component 1 Type 6 Establishment List Report (“Type 6 Report”) for reporting establishments with fewer than 50 employees. Beginning with the 2021 EEO-1 Component 1 data collection, **ALL** filers reporting data for establishments with fewer than 50 employees **must** use a Type 8 Establishment Report (“Type 8 Report”) to submit such data. This change will allow the EEOC to collect more accurate employee demographic data in support of the agency’s mission to prevent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace.

For the 2019 and 2020 EEO-1 Component 1 data collections (which are now closed), the EEOC only permitted filers who had previously submitted a Type 6 Report to do so. All filers who were permitted to submit a Type 6 Report for the 2019/2020 collections were notified via email on January 6, 2022, regarding the discontinuation of the Type 6 Report so these filers may prepare for the opening of the 2021 EEO-1 Component 1 filing using Type 8 Reports.

## **6.4. DETERMINING IF A REPORT SHOULD BE FILED**

### **67. Does a company have to file a report for an establishment if it has zero employees?**

No. Companies should delete establishments in which workers are no longer employed. If the establishment was included in the company’s last EEO-1 Component 1 Report, it will appear in the *EEO-1 Component 1 Online Filing System*. These locations should be deleted. Please note that multi-establishment companies **are** allowed to report zero employees in their Type 3 Headquarters Report (e.g., holding companies; see FAQ 30: [“If a company’s headquarters is a holding company with zero employees, is it still necessary to file?”](#)).

**68. If some establishments have different Employer Identification Numbers (EINs) from the company's headquarters, do filers need to provide this information in each establishment report?**

Yes. Companies must provide the associated Employer Identification Number (EIN) for each establishment in the establishment information section of each establishment report. As a reminder, a report must be filed for each establishment.

**69. If a company has several establishments, can they report the entire workforce on the company's Headquarters Report?**

No. Employment data **must** be provided separately for each establishment of the company.

Each multi-establishment company will have a Type 2 Consolidated Report, a Type 3 Headquarters Report, and a report for each establishment (i.e., either a Type 4 Establishment Report for each establishment with fewer than 50 employees or a Type 8 Establishment Report for each establishment with 50 or more employees). Companies are required to enter workforce demographic data by each establishment. The Consolidated Report will auto-populate based on the data entered.

## **6.5. CERTIFICATION**

**70. What happens if a filer does not complete the "Certify EEO-1 Component 1 Reports" step?**

If a filer fails to complete the "Certify EEO-1 Component 1 Reports" step within the *EEO-1 Component 1 Online Filing System*, the status of the company's filing will be considered incomplete by the EEOC. If the company's submission is not certified by the filing deadline, the EEOC will send the company a Notice of Failure to File letter. This letter will request that the company certify its data in order to complete its required filing.

## VII. CONSIDERATIONS FOR THIRD-PARTY HUMAN RESOURCE ORGANIZATIONS (E.G., PEOS, HROS, ASOS)

### 71. Has the EEOC made any updates to the 2021 reporting procedures for third-party human resource organizations (e.g., PEOs, HROs, ASOs)?

Yes. As part of the EEOC's continuing efforts to modernize the agency's EEO data collections and improve the quality of data collected, the EEOC has implemented updated 2021 EEO-1 Component 1 procedures for the reporting of client employer data by Professional Employer Organizations (PEOs), Administrative Services Organizations (ASOs), Human Resource Outsourcing organizations (HROs), and similar organizations which choose to file on behalf of eligible EEO-1 Component 1 client employers under third-party human resource agreements (i.e., third-party human resource organizations).

These updated procedures will allow the EEOC to collect more accurate employee demographic data in support of the agency's mission to prevent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace.

The EEOC provided an announcement of these updated procedures on February 2, 2022 on the EEO-1 Component 1 website at <https://eeocdata.org/eeo1> so that third-party human resource organizations (e.g., PEOs, HROs, ASOs), and the client employers on behalf of which they choose to file, may prepare for the opening of the 2021 EEO-1 Component 1 data collection, tentatively scheduled for, **Tuesday April 12, 2022**.

Impacted filers can find additional information on these updated procedures in the following online resources:

- [Fact Sheet: 2021 EEO-1 Component 1 Third-Party Human Resource Organization Reporting Procedures \(e.g., PEOs, HROs, ASOs\)](#)
- [FAQs: 2021 EEO-1 Component 1 Third-Party Human Resource Organization Reporting Procedures \(e.g., PEOs, HROs, ASOs\)](#)