

Hurry Up and Wait: EEO-1 Submission Date Postponed Again

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Many employers that have prepared or are in the process of preparing their EEO-1 reports in anticipation of the usual March reporting schedule are finding they can't submit their reports because the US Equal Employment Opportunity Commission (EEOC) has not yet opened the EEO-1 reporting portal and has postponed the reporting period yet again. Thus, as with most things in 2020 and now 2021, things also are a bit different with EEO-1 reports than they usually are.

Recall that, last year, due to the pandemic, the EEOC delayed collection of private-sector employer 2019 EEO-1 reports, which normally would have been due in March 2020, until March 2021.

Although the commission originally set a March 31, 2021, due date for both 2019 and 2020 private-sector employer EEO-1 reports, it recently postponed the data collection date, but without setting a definite deadline. At this point, it is anticipated the EEOC will open the portal for submission of 2019 and 2020 EEO-1 reports in April 2021, but no official announcement has been made.

We will continue to monitor the situation and issue another alert as soon as the EEOC announces a firm date for opening the portal. In the meantime, we recommend you begin preparing your data submissions in advance and have them ready for submission when the portal opens, particularly since you'll be submitting data for two years this time around. And as always, if you have questions about your EEO-1 reports, consult your employment lawyer to make sure you submit timely and accurate data.

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