

## **EEO-1 Reports Due September 30, 2008 at the EEOC**

Legal Alert  
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Garvey Schubert Barer Legal Update, July 15, 2008.

The EEO-1 Report, on the EEOC's Standard Form 100, is required to be filed with the U.S. Equal Employment Opportunity Commission no later than September 30, 2008. The EEO-1 Report annually surveys a company's employee data by race, ethnic category, gender, and job categories during a single pay period in July, August, or September. The EEOC prefers that filings be made electronically. Further information about the EEO-1 Report and access to electronic filing can be found at [www.eeoc.gov/eeo1survey](http://www.eeoc.gov/eeo1survey).

### **Who must file?**

EEO-1 Reports must be filed by all private employers with 100 or more employees, except State and local governments, primary and secondary school systems, institutions of higher education, Indian tribes, and tax-exempt private membership clubs other than labor organizations.

Multi-establishment private employers with fewer than 100 employees must file the report 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.

A federal contractor with 50 or more employees must also file an EEO-1 Report if it:

1. is the prime contractor, or a first-tier subcontractor, and have a purchase order of \$50,000 or more (For example, if a broadcast station is airing a commercial schedule from the federal government worth \$50,000 or more (e.g., join the U.S. Marines) and has 50 or more employees, that station's owner needs to file an EEO-1 Report);
2. serves as a depository of Government funds in any amount; or
3. is a financial institution which is an issuing and paying agent for U.S. Savings Bonds and Notes.

Exceptions to the reporting requirement for private employers that are federal contractors are provided in 41 C.F.R. 60-1.5.