



**U.S. Equal Employment Opportunity Commission**  
EEOC Headquarters  
131 M Street, NE  
Washington, DC 20507  
State and Local Government Information Report (EEO-4)  
EEOC Form 164

# **EEO-4 Data Collection Frequently Asked Questions (FAQs)**



**EEO-4  
Data Collection**

Equal Employment Opportunity Commission

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## Section 1: About the EEO-4 Report

### 1.1. What is the EEO-4 Report? Which state and local governments are required to file the EEO-4?

The State and Local Government Information Report (EEO-4), EEOC Form 164, also referred to as the EEO-4 Report, is a mandatory biennial data collection that requires all state and local governments with 100 or more employees to submit workforce demographic data, including data by race/ethnicity, sex, job category, and salary band. The filing by eligible state and local governments 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), 29 CFR 1602.30 and .32-.37. See Appendix 5 of the EEO-5 Instruction Booklet for additional information.

### 1.2. When is the “Published Due Date” (i.e., deadline) to submit the 2023 EEO-4 report? What happens if my state or local government does not file its 2023 EEO-4 report by the “Published Due Date” on December 5, 2023?

The deadline to file the 2023 EEO-4 data collection is **Tuesday, December 5, 2023** (i.e., “Published Due Date”).

Following the **Tuesday, December 5, 2023**, “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-4 report by the **Tuesday, December 5, 2023**, “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 **Tuesday, January 9, 2024** (i.e., “Failure to File” deadline).

After the **Tuesday, January 9, 2024**, “Failure to File” deadline passes, no additional 2023 EEO-4 reports will be accepted, and eligible state and local governments will be out of compliance with their mandatory 2023 EEO-4 filing obligations. Pursuant to EEOC regulation 29 CFR 1602.34, any state or local government “failing or refusing” to file when required to do so may be compelled to file by order of a U.S. District Court, upon application of the Attorney General.

### 1.3 Is my jurisdiction’s EEO-4 data confidential?

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-4 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 individual's information.

#### **1.4 What are the relevant reporting periods (i.e., for counting employees) for the 2023 EEO-4 data collection?**

Employment data used for the EEO-4 report must be provided as of June 30<sup>th</sup> of the reporting year (i.e., 2023). The employment status under which full-time and "other than full-time" employees are reported must also be based on their employment as of June 30<sup>th</sup> of the reporting year (i.e., 2023).

For purposes of the EEO-4 data collection, a person is an employee of a political jurisdiction if the employee is on the payroll of that jurisdiction, regardless of the source of the funds by which the employee is paid.

##### ***Relevant Reporting Periods for EEO-4 Employee Data***

***Full-time Employee Data:*** Full-time employee data should cover **the payroll period which includes June 30<sup>th</sup> of the reporting year** (i.e., 2023). See "Full-time Employees" under Section 5D of the EEO-4 Instruction Booklet for details on how to report full-time employees.

***Other than Full-time Employee Data:*** Other than full-time employee data should cover **the payroll period which includes June 30<sup>th</sup> of the reporting year** (i.e., 2023). See "Other Than Full-time Employees" under Section 5D of the EEO-4 Instruction Booklet for details on how to report employees that are not employed full-time by the jurisdiction.

***New Permanent Full-Time Hires Data:*** Filers must provide a breakout of new, permanent full-time hires during the fiscal year. Data for such new hires covers **the entire fiscal year which ends on June 30<sup>th</sup> of the reporting year** (i.e., 2023). The relevant fiscal year for the 2023 EEO-4 data collection is: July 1, 2022 – June 30, 2023. See "New Hires During Fiscal Year" under Section 5D of the EEO-4 Instruction Booklet for details on how to report employees hired during the relevant fiscal year.

#### **1.5 What if EEO-4 data are not available centrally for a jurisdiction?**

In those jurisdictions where all data are available at a single location, all reports may be completed by the central office. Where data are not available centrally, data should be obtained by the central office from all departments/agencies and aggregated into the relevant report by function.

## **1.6 What if the branch or agency of a government has separately elected officials or is autonomous or semi-autonomous in its operations?**

The fact that a branch or agency of a government has separately elected officials or is autonomous or semi-autonomous in its operations does not affect the legal status of the jurisdiction, nor the requirement that the EEO-4 covers the entire jurisdiction. To the extent feasible, the report should cover all branches of the government. In any cases where that is not feasible, and data are not available to the central office of the government, the jurisdiction should list the name and address of each department/agency for which data has not been included under *Departments/Agencies Not Included in This Report*. See Section 5D of the EEO-4 Instruction Booklet for additional information.

## **1.7 What about the existence of special district governments? How should those be handled for purposes of the 2023 EEO-4 Report?**

Where interstate, intercounty, boards, agencies, commissions, or other types of special district governments exist one report should be submitted by the headquarters of the special district that includes each function performed.

## **1.8 What are the filing requirements for all jurisdictions?**

State and local governments should file one report for each performed function listed under “List of 15 Functions” within Section 5C (Function) of the EEO-4 Instruction Booklet for a maximum of 15 function reports. Jurisdictions should only report employees on the jurisdiction’s payroll during the relevant period, defined in the EEO-4 Instruction Booklet under “Relevant Reporting Periods for EEO-4 Employee Data” within Section 5D (Employment Data as of June 30).

Within each function report, state and local governments should list the departments or agencies that perform the function indicated in the EEO-4 Function report under “Departments/Agencies Included in This Function Report”. For example, Function 1 might include the following departments/agencies: Office of the Tax Collector, Office of the Mayor, Office of the District Attorney, etc.

If a jurisdiction cannot supply the data for every department or agency in the EEO-4 Function report, the jurisdiction should list the name and address of each department or agency for which data has not been included in the report under “Departments/Agencies Not Included in This Function Report” (see the EEO-4 Instruction Booklet for more information).

## Section 2. Preparing to File

### 2.1 How does a filer report the “type of government” for its jurisdiction in the EEO-4 Report?

Under the “Type of Government” section in the EEO-4 Report, a filer must select **only one** of the following (i.e., type of government):

- State
- County
- City
- Township
- Special District
- Other (Specify) (NOTE: If filers select “other,” please specify what type of government best identifies your political jurisdiction.)

### 2.2 For purposes of the EEO-4 Report, what is a “function” performed by employees?

EEO-4 filers must indicate whether or not they perform each of the functions below. If a function is performed, EEO-4 filers must provide data on employees that perform each of the functions. Below is the list of 15 functions for the EEO-4 Report. Some functions, such as Function 1 and 6, combine multiple activities into one report.

#### List of 15 Functions

1. **FINANCIAL ADMINISTRATION.** Tax billing and collection, budgeting, purchasing, central accounting and similar financial administration carried on by a treasurer’s, auditor’s or comptroller’s office; and  
**GENERAL CONTROL.** Duties usually performed by boards of supervisors or commissioners, central administration offices and agencies, central personnel or planning agencies, all judicial offices and employees (judges, magistrates, bailiffs, et al.)
2. **STREETS AND HIGHWAYS.** Maintenance, repair, construction and administration of streets, alleys, sidewalks, roads, highways, and bridges.
3. **PUBLIC WELFARE.** Maintenance of homes and other institutions for the needy; administration of public assistance. (Hospitals should be reported under Function number 7 below).
4. **POLICE PROTECTION.** Duties of a police department sheriff’s, constable’s, coroner’s office, etc. Including technical and clerical employees engaged in police activities.

5. **FIRE PROTECTION.** Duties of the uniformed fire force and its clerical employees. (Report any forest fire protection activities in Function number 6 below).
6. **NATURAL RESOURCES.** Agriculture, forestry, forest fire protection, irrigation drainage, flood control, etc.; and  
**PARKS AND RECREATION.** Provision, maintenance and operation of parks, playgrounds, swimming pools, auditoriums, museums, marinas, zoos, etc.
7. **HOSPITALS.** Operation and maintenance of institutions for inpatient medical care.
8. **HEALTH.** Provision of public health services, outpatient clinics, visiting nurses, food and sanitary inspections, mental health, alcohol rehabilitation service, etc. (Hospitals should be reported under Function number 7).
9. **HOUSING.** Code enforcement, low rent public housing, fair housing ordinance enforcement, housing for elderly, housing rehabilitation, rent control.
10. **COMMUNITY DEVELOPMENT.** Planning, zoning, land development, open space, beautification, preservation.
11. **CORRECTIONS.** Jails, reformatories, detention homes, halfway houses, prisons, parole and probation activities.
12. **UTILITIES AND TRANSPORTATION.** Includes water supply, electric power, transit, gas, airports, water transportation and terminals.
13. **SANITATION AND SEWAGE.** Street cleaning, garbage and refuse collection and disposal. Provision, maintenance and operation of sanitary and storm sewer systems and sewage disposal plants.
14. **EMPLOYMENT SECURITY.** State governments only.
15. **OTHER.** (Specify). (NOTE: If filers select “other,” please specify what type of government best identifies your political jurisdiction.)

The data reported for the above functions should be aggregated for all the performing departments or agencies within the particular function. This also applies to unspecified functions which are to be combined for Function 15 “Other” above.

State education agencies (both agencies covering elementary and secondary schools and those covering education) should be included in Function 15 “Other” above. However, **data for public elementary and secondary school systems and districts should not be included in the EEO-4 Report.** The EEOC collects such data separately under the EEO-5 Elementary-Secondary Staff Information Report. Additional information regarding the EEO-5 Report can be found at [www.eeocdata.org/eeo5](http://www.eeocdata.org/eeo5).

When a jurisdiction is unable to separate data, the department or agency should be reported under the function that represents its dominant activity. For example, if a transportation department includes, among other functions, streets and highways, and two-thirds of the



employees of the department are engaged in street and highway activities, those employees should be separated out and reported separately if feasible. If not, the entire department should be reported separately under Function 2 “Streets and Highways” above.

### **2.3 For purposes of the EEO-4 Report, how do I report full-time employees and annual salary data?**

Employee data in the “Full-time Employees” section of an EEO-4 function report should be reported by race/ethnicity,<sup>1</sup> sex, job category,<sup>2</sup> and salary band<sup>3</sup> and include total full-time employees, *except for certain exempted elected and appointed officials described Appendix 1 of the EEO-4 Instruction Booklet.*

Additionally:

- Every “full-time employee” must be accounted for in one and only one of the listed categories.
- When employees are paid on other than an annual basis, their regular earnings in the payroll period which includes June 30<sup>th</sup> of the reporting year (i.e., 2023) should be expanded and expressed in terms of an annual income. All special increments of an employee’s annual earnings which are regular and recurrent should be included. Overtime pay should not be included.
- When employees receive separate salaries or payments from two or more jurisdictions, but work full-time for one jurisdiction, those employees should be counted as full-time employees by that jurisdiction. Additionally, those employees’ annual salaries, to the extent possible, should reflect their total earnings from all jurisdictions from which they are paid.
- When a full-time employee of a jurisdiction is employed in more than one function, the employee should be reported for the function that accounts for most of the employee’s work time.
- Trainees should be counted in the appropriate columns by job, salary, race/ethnicity, and sex.

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<sup>1</sup> Race/ethnicity definitions can be found in Appendix 3 of the EEO-4 Instruction Booklet.

<sup>2</sup> Descriptions of each job categories can be found in Appendix 2 of the EEO-4 Instruction Booklet.

<sup>3</sup> Descriptions of each salary band can be found in Appendix 4 of the EEO-4 Instruction Booklet.

## 2.4 For purposes of the EEO-4 Report, how do I report other than full-time employees?

Employee data in the “Other Than Full-time Employees” section of an EEO-4 function report should:

- include all employees not included under the *Full-time Employees* section except for certain exempted elected and appointed officials described in Appendix 1 of the EEO-4 Instruction Booklet; and
- be accounted for in one and only one of the listed categories by race/ethnicity,<sup>4</sup> sex, and job category<sup>5</sup> — filers are not required to provide annual salary data for employees in this section.

Additionally:

- When employees are both working part-time for different jurisdictions and on separate payrolls of the different jurisdictions, they should be reported as part-time employees of the separate jurisdictions.
- Employees on the payroll of the jurisdiction for a specified temporary appointment, such as a public employment program, should be included in this section.

## 2.5 For purposes of the EEO-4 Report, how do I report new hires during fiscal year?

Employee data in the “New Hires During Fiscal Year” section of an EEO-4 function report should:

- include those employees who were hired during the fiscal year (i.e., July 1, 2022 – June 30, 2023) into *permanent full-time positions*; and
- be accounted for in one and only one of the listed categories by race/ethnicity,<sup>4</sup> sex, and job category<sup>5</sup> — filers are not required to provide annual salary data for employees in this section

Additionally:

- New permanent full-time hires should be included in this section even if they were terminated prior to the end of the fiscal year.

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<sup>4</sup> Race/ethnicity definitions can be found in Appendix 3 of the EEO-4 Instruction Booklet.

<sup>5</sup> Descriptions of each job categories can be found in Appendix 2 of the EEO-4 Instruction Booklet.

- New hires reported in this section should also be reported in the Full-time Employees section (see above) if the new hires were on the payroll as of June 30<sup>th</sup> of the fiscal year (i.e., June 30, 2023).

## 2.6 How does a state or local government determine an employee's race and/or ethnicity?

Self-identification is the preferred method of identifying the race/ethnicity information necessary for the EEO-4 Report. Employers are required to attempt to allow employees to use self-identification to complete their EEO-4 report.

As to the method of collecting data, the basic principles for ethnic and racial self-identification for purposes of the EEO-4 Report are:

1. Offer employees the opportunity to self-identify.
2. Provide a statement about the voluntary nature of this inquiry. For example, language such as the following may be used (state and local governments may adapt this language):

*“The employer is subject to certain governmental recordkeeping and reporting requirements for the administration of civil rights laws and regulations. In order to comply with these laws, the employer invites employees to voluntarily self-identify their race or ethnicity. Submission of this information is voluntary and refusal to provide it will not subject you to any adverse treatment. The information obtained will be kept confidential and may only be used in accordance with the provisions of applicable laws, executive orders, and regulations, including those that require the information to be summarized and reported to the federal government for civil rights enforcement. When reported, data will not identify any specific individual.”*

If an employee declines to self-identify his or her race/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.

Race and ethnicity designations as used by the Equal Employment Opportunity Commission for the EEO-4 do not denote scientific definitions of anthropological origins. In addition, such designations do not control who is protected by Title VII's prohibitions against employment discrimination based on race or national origin.

## 2.7 What if an employee declines to self-identify their race and/or ethnicity?

Self-identification is the preferred method of identifying race and ethnicity information necessary for the EEO-4 Report. If an employee declines to self-identify his or her 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.

## 2.8 What are the race and ethnicity categories to be used for the 2023 EEO-4 Report?

For the purposes of the EEO-4 report, the following race and ethnicity categories must be used:

- Hispanic or Latino
- White (Not Hispanic or Latino)
- Black or African American (Not Hispanic or Latino)
- Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)
- Asian (Not Hispanic or Latino)
- American Indian or Alaska Native (Not Hispanic or Latino)
- Two or More Races (Not Hispanic or Latino)

See Appendix 3 of the EEO-4 Instruction Booklet for race and ethnicity category descriptions.

## 2.9 We are a political jurisdiction located in the state of Hawaii. Are we still permitted to report data for additional race/ethnicity categories?

Yes. Under the *Comments* section, jurisdictions in the state of Hawaii may choose to also include data for employees based upon prior historical EEO-4 race/ethnicity categories for the state of Hawaii. The reporting of such data **is not mandatory** and is optional for jurisdictions in the state of Hawaii.

1. "Hawaiian": Includes persons of Hawaiian descent including part Hawaiian with any other descent.
2. "Chinese and Korean": Includes persons of Chinese and Korean descent.
3. "Filipino": Includes persons of Filipino descent.
4. "Japanese": Includes persons of Japanese descent.

Please preface these data with the phrase "Additional Hawaii Jurisdiction Data."

For example: Additional Hawaii Jurisdiction Data: Function 4 Police Protection: 1 Chinese or Korean Female employee in job category Protective Service; salary band \$33.0 – 42.9. Function 6 Natural Resources: 2 Filipino Male employees in job category Professionals; salary band:

\$43.0 – 54.9. 1 Filipino Female Employee in job category Professionals; salary band: \$43.0 – 54.9. Function 1 General Administration: 4 Hawaiian Female employees in job category Officials – Administrators; salary band: \$70.0 plus.

If a jurisdiction in the state of Hawaii has questions about the reporting of such data by the above race/ethnicity categories, please contact the EEO-4 Filer Support Team via the *EEO-4 Online Filing System (OFS) Message Center* at [www.eocdata.org/eeo4](http://www.eocdata.org/eeo4).

## **2.10 Our state or local government is now collecting gender beyond the male/female binary. We would like to report this for the 2023 EEO-4 data collection. How do we report this data?**

State and local governments may choose to report non-binary gender counts for employees in the comment box on the Certification Page within the *EEO-4 Online Filing System*. Please preface this data with the phrase “Additional Employee Data:”

For example, “Additional Employee Data: Function 4 Police Protection: 1 White (not Hispanic or Latino) non-binary gender employee in job category Protective Service; salary band \$33.0 – 42.9. Function 6 Natural Resources: 2 Black or African American (not Hispanic or Latino) non-binary gender employees in job category Professionals; salary band: \$43.0 – 54.9. Function 1 General Administration: 4 Hispanic or Latino non-binary gender employees in job category Officials – Administrators; salary band: \$70.0 plus.”

## **Section 3. Getting Started**

### **3.1 What are the options for submitting the 2023 EEO-4 Report?**

The EEOC requires electronic submission of the EEO-4 report through a web-based data collection application (i.e., portal) referred to as the *EEO-4 Online Filing System (OFS)*. The *OFS* is accessible at [www.eocdata.org/eeo4](http://www.eocdata.org/eeo4). All individuals responsible for filing EEO-4 reports will be required to have an individual user account associated with their email address to access the *EEO-4 Online Filing System*.

### **3.2 I am filing for a state or local government that has *never filed* an EEO-4 Report before. How do I get started?**

Individuals submitting reports for new jurisdictions will be required to create an individual user account associated with their email address to access the *EEO-4 Online Filing System (OFS)*. This can be done by visiting [www.eocdata.org/eeo4/signin](http://www.eocdata.org/eeo4/signin) and selecting “Create an Account.” After creating an account and signing into the *OFS*, account holders can register a new state or local government by selecting “Add State or Local Government to List” on the “Your State or

*Local Government List*” screen. During the registration process, account holders will be provided with a Control Number and PIN.

### **3.3 I am a *new filer* for a state or local government that has *previously filed* an EEO-4 Report. How do I get started?**

All individuals responsible for filing EEO-4 reports will be required to have an individual user account associated with their email address to access the *EEO-4 Online Filing System (OFS)*. To create a new account, visit [www.eeocdata.org/eeo4/signin](http://www.eeocdata.org/eeo4/signin) and select “*Create an Account.*”

New account holders for state and local governments *that have filed in prior year reporting cycles* can link their individual user account to the state or local government record using the Control Number and PIN, which will be sent to the jurisdiction via postal mail prior to the opening of data collection. If you do not have your Control Number and PIN, please contact the EEO-4 Filer Support Team via the *EEO-4 Online Filing System Message Center* at [www.eeocdata.org/eeo4](http://www.eeocdata.org/eeo4).

### **3.4 I am a *returning filer* for a state or local government that has *previously filed* an EEO-4 Report. How do I get started?**

Returning *EEO-4 Online Filing System (OFS)* account holders who created their account during the 2021 EEO-4 data collection cycle can sign in using their existing username (i.e., email address) and password. Returning account holders may be required to reset their password when logging in to the *OFS* if the account holder has not accessed the *OFS* in the past 90 days.

### **3.5 How can a filer begin submitting the 2023 EEO-4 Report?**

The EEOC requires electronic submission of the EEO-4 report through a web-based data collection application (i.e., portal) referred to as the *EEO-4 Online Filing System (OFS)*. The *OFS* is accessible at [www.eeocdata.org/eeo4](http://www.eeocdata.org/eeo4). All individuals responsible for filing EEO-4 reports will be required to have an individual user account associated with their email address to access the *OFS*. To create a new account, visit [www.eeocdata.org/eeo4/signin](http://www.eeocdata.org/eeo4/signin) and select “*Create an Account.*”

**New account holders** for state and local governments *that have filed in prior year reporting cycles* can link their individual user account to the state or local government record using the Control Number and PIN, which will be sent to the jurisdiction via postal mail prior to the opening of data collection. New account holders for state and local governments *that have never filed before* can register a new state or local government by selecting “*Add State or Local Government to List*” on the “*Your State or Local Government List*” screen.

**Returning OFS account holders** who created their account during the 2021 EEO-4 data collection cycle can sign in using their existing username (i.e., email address) and password. Returning account holders may be required to reset their password when logging in to the *OFS* if the account holder has not accessed the *OFS* in the past 90 days.

**Individuals submitting reports for new jurisdictions** can register a new state or local government by selecting “*Add State or Local Government to List*” on the “*Your State or Local Government List*” screen. During the registration process, account holders will be provided with a Control Number and PIN.

### **3.6 How does a filer correct or update a state or local government’s address for filing the 2023 EEO-4?**

To correct or update a jurisdiction’s address, filers should log in to the *EEO-4 Online Filing System (OFS)* and navigate to the state or local government on the “*Your State or Local Government List*” screen. Select the state or local government from this list to navigate to the “*State or Local Government Dashboard*.” After confirming the jurisdiction’s contact(s), filers may update its address under “*Confirm State or Local Government Details*.”

### **3.7 How can a state or local government update a point of contact(s) for the 2023 EEO-4 data collection?**

If the jurisdiction is linked to the filer’s account in the *EEO-4 Online Filing System (OFS)*, the filer should log in to the *OFS* and navigate to the state or local government on the “*Your State or Local Government List*” screen. Select the state or local government from this list to navigate to the “*State or Local Government Dashboard*.” Filers may update a point of contact under “*Confirm State or Local Government Contacts*.”

If the jurisdiction is not linked to the filer’s account in the *EEO-4 Online Filing System (OFS)* and the filer does not have the Control Number and PIN associated with the jurisdiction, select “*Resources*” from the “*Your State or Government List*” once logged in to the *OFS*. On the “*Resources*” page, select “*Change of Contact Form*” and follow the instructions provided. To process a state or local government contact change, a verification letter from an authorized state or local government representative approving this change is required. This verification letter must:

- Be on the state or local government official letterhead
- Contain explicit text that the new contact person is the new authorized contact and/or Certifying Official for the EEO-4 Report

- Be signed by an authorized state or local government official
- Contain contact information (phone number and email) for the authorizing official verifying the new contact person

### **3.8 How can a state or local government view prior year reports?**

If the jurisdiction is linked to the filer's account in the *EEO-4 Online Filing System (OFS)*, the filer should log in to the *OFS* and navigate to the state or local government on the "*Your State or Local Government List*" screen. Select the state or local government from this list to navigate to the "*State or Local Government Dashboard*." Filers may view prior year reports by selecting "*Historical Data (Prior EEO-4 Reports)*." Historic EEO-4 Reports are available beginning with the 2019 filing year and will only be listed if the state or local government certified its report.

### **3.9 Are state and local governments able to correct information provided in prior year reports?**

No. State and local governments are not able to correct or update information reported in prior year reports (e.g., 2021 EEO-4 Reports).

### **3.10 Are state and local governments able to file previous year reports?**

No. Once the reporting year's data collection has closed, no additional reports can be filed. For example, the 2021 EEO-4 data collection has closed, and no further reports are being accepted.

### **3.11 How can a filer create an account?**

The EEOC requires electronic submission of the EEO-4 report through a web-based data collection application (i.e., portal) referred to as the *EEO-4 Online Filing System (OFS)*. The *OFS* is accessible at [www.eeocdata.org/eeo4](http://www.eeocdata.org/eeo4). All individuals responsible for filing EEO-4 reports will be required to have an individual user account associated with their email address to access the *OFS*. To create a new account, visit [www.eeocdata.org/eeo4/signin](http://www.eeocdata.org/eeo4/signin) and select "*Create an Account*."

**New account holders** for state and local governments *that have filed in prior year reporting cycles* can link their individual user account to the state or local government record using the Control Number and PIN, which will be sent to the jurisdiction via postal mail prior to the opening of data collection. New account holders for state and local governments *that have never filed before* can register a new state or local government by selecting "*Add State or Local Government to List*" on the "*Your State or Local Government List*" screen.



**Individuals submitting reports for new jurisdictions** can register a new state or local government by selecting *“Add State or Local Government to List”* on the *“Your State or Local Government List”* screen. During the registration process, account holders will be provided with a Control Number and PIN.

### **3.12 What should a filer do if a state or local government did not receive (or cannot locate) the advance notification letter that includes the Control Number and PIN?**

The letters will be mailed in mid-October 2023. If a state or local government filed previously and has not received the letter by the beginning of November, please contact the EEO-4 Filer Support Team via the *EEO-4 Online Filing System Message Center* at **Error! Hyperlink reference not valid.** [www.eeocdata.org/eeo4](http://www.eeocdata.org/eeo4).

### **3.13 Can state or local governments include more than one point of contact to receive all communications?**

Yes. State and local governments can include more than one person as the point of contact.

## **Section 4. Data Submission**

### **4.1 How do filers save entries within the *EEO-4 Online Filing System*?**

As filers move from one screen to another, the *EEO-4 Online Filing System (OFS)* saves filer progress. Please select *“Save & Continue Later”* at the bottom of the screen before navigating away from the *EEO-4 Online Filing System (OFS)*. There is no need to select this option on every screen, just on the final screen before leaving the *OFS*. After selecting *“Save & Continue Later,”* filers can close the browser and return later to complete their mandatory filing obligation.

### **4.2 How can filers print an EEO-4 Report for their records?**

After certification, filers may print the report by selecting *“Report”* on the *“State or Local Government Dashboard”* in the *EEO-4 Online Filing System*.

### **4.3 How does the filing system indicate filers are finished?**

As filers complete each step of the process on the *“State or Local Government Dashboard,”* each step will change to *“Complete”* from either *“Go →”* or *“Finish Prior Steps.”* Please note that the *“Report EEO-4 Data (Manual Entry or Data File Upload)”* step will not be marked as *“Complete”* until all of the applicable functions on the *“State or Local Government Functions List”* are marked as *“Complete.”*

Once the “*Report EEO-4 Data (Manual Entry or Data File Upload)*” is marked as “*Complete,*” the “*Review EEO-4 Report*” and the “*Certify EEO-4 Report*” steps will change to “*Go →.*” Reviewing reports is not required but is encouraged to prevent errors. When the “*Certify EEO-4 Report*” changes to “*Go →,*” select that step to complete the certification process. Filers will then proceed to a screen to enter Certifying Official information and certify their 2023 EEO-4 Report. Once certified, filers will receive an email confirming certification.

#### **4.4 What happens if a filer does not complete the “*Certify EEO-4 Report*” step?**

If a filer fails to complete the “*Certify EEO-4 Report*” step within the *EEO-4 Online Filing System (OFS)*, the status of the state or local government’s filing will be considered incomplete by the EEOC. Following the **Tuesday, December 5, 2023**, “*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-4 report by the **Tuesday, December 5, 2023**, “*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 **Tuesday, January 9, 2024** (i.e., “*Failure to File*” deadline).

After the **Tuesday, January 9, 2024**, “*Failure to File*” deadline passes, no additional 2023 EEO-4 reports will be accepted, and eligible state and local governments will be out of compliance with their mandatory 2023 EEO-4 filing obligations. Pursuant to EEOC regulation 29 CFR 1602.34, any state or local government “*failing or refusing*” to file when required to do so may be compelled to file by order of a U.S. District Court, upon application of the Attorney General.