



FAQs: 2021 EEO-1 COMPONENT 1 THIRD-PARTY HUMAN RESOURCE ORGANIZATION REPORTING PROCEDURES (e.g., PEOs, HROs, ASOs)

The purpose of this resource is to provide answers to frequently asked questions filers may have regarding the **updated 2021 EEO-1 Component 1 procedures** that the EEOC is implementing 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**).

For the sake of clarity and consistency, clients of these third-party human resource organizations (e.g., PEOs, HROs, ASOs) are referred to as “client employers” throughout these FAQs. A “client employer,” also sometimes referred to as a “client company,” is an employer (i.e., company) that uses the services of a third-party human resource organization (e.g., PEO, HRO, ASO). These services can include preparing and filing the employer’s (i.e., company’s) EEO-1 Component 1 report(s) on the employer’s (i.e., company’s) behalf. The employer (i.e., company) using these services is referred to as a “client employer” of the third-party human resource organization (e.g., PEO, HRO, ASO) that is filing on the employer’s (i.e., company’s) behalf.

Considerations for Third-Party Human Resource Organizations (e.g., PEOs, HROs, ASOs)

1. Why is the EEOC implementing updated procedures for PEOs, HROs, ASOs, and other third-party human resource organizations?

The updated procedures are being implemented as part of the EEOC’s continuing efforts to modernize the agency’s EEO data collections and improve the quality of data collected. 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 is providing notice of these updated procedures as of **Wednesday February 2, 2022** so that third-party human resource organizations (e.g., PEOs, HROs, ASOs), and the client employers on behalf of which these organizations are choosing to file, may prepare for the opening of the 2021 EEO-1 Component 1 data collection, tentatively scheduled for **Tuesday, April 12, 2022**. Announcement of the updated procedures, including a Fact Sheet as well as these FAQs, are posted on the 2021 EEO-1 Component 1 website at <https://eeocdata.org/eo1>.



2. What are the updated reporting procedures for 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)?

The updated procedures for the 2021 EEO-1 Component 1 data collection include the following:

- Every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) chooses to file will be required to have its own company registration under the client employer's EIN (i.e., Employer Identification Number, Federal Tax Identification Number, FEIN). The company registration record contains basic contact and location information and resides within the *EEO-1 Component 1 Online Filing System*. This company registration **must** be for the client employer itself and not the third-party human resource organization (e.g., PEO, HRO, ASO) filing on the client employer's behalf. Additionally, all filers will be required to have an individual-level user account to gain access to the *EEO-1 Component 1 Online Filing System*.
- A third-party human resource organization (e.g., PEO, HRO, ASO) may still prepare and file an EEO-1 Component 1 Report(s) on behalf of eligible client employers. After the eligible client employer creates their company registration record, they can invite their third-party human resource organization (e.g., PEO, HRO, ASO) to create an associated user account.
- A third-party human resource organization (e.g., PEO, HRO, ASO) will no longer be permitted to file for the eligible client employer as an "establishment" of the third-party human resource organization (e.g., PEO, HRO, ASO). In other words, a third-party human resource organization (e.g., PEO, HRO, ASO) may not submit an EEO-1 Component 1 Report(s) that includes itself and a client employer and/or a report that includes multiple client employers.
- A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to submit data file uploads on behalf of eligible client employers must do so separately for **each** client employer. The bulk or consolidated upload of data files for multiple client employers by a third-party human resource organization (e.g., PEO, HRO, ASO) **will not be permitted**. Every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to file must have a separate data file upload under that client employer's company record in the *EEO-1 Component 1 Online Filing System*.
- A third-party human resource organization (e.g., PEO, HRO, ASO) is **not permitted** to certify a client employer's EEO-1 Component 1 Report. An official of the client employer (i.e., "certifying official") must certify the client employer's EEO-1 Component 1 Report. The client



employer's "certifying official" **cannot** be from the third-party human resource organization (e.g., PEO, HRO, ASO).

- A third-party human resource organization (e.g., PEO, HRO, ASO) that is eligible to file an EEO-1 Component 1 Report in its own capacity as an employer **must** submit a report that only includes the third-party human resource organization (e.g., PEO, HRO, ASO) and its own establishments and employees. The third-party human resource organization's (e.g., PEO, HRO, ASO) own report **must not** include any of its client employers or client employers' establishments.

3. Will the EEOC and its EEO-1 Component 1 Filer Support Team continue to manually process client employer deletions and account registrations for my third-party human resource organization (e.g., PEO, HRO, ASO)?

No. In prior EEO-1 Component 1 data collection years, and upon request by a third-party human resource organization (e.g., PEO, HRO, ASO), the EEOC and its EEO-1 Component 1 Filer Support Team manually processed client employer establishment deletions and company registrations, including bulk deletions and registrations. With the implementation of these updated reporting procedures, the EEOC and its EEO-1 Component 1 Filer Support Team will **no longer process such deletions and company registrations** for an individual third-party human resource organization (e.g., PEO, HRO, ASO) and/or its current or former client employers.

4. If my organization is choosing to file a 2021 EEO-1 Component 1 report(s) on behalf of a client employer, when will my organization or my client employer(s) be able to create an account registration in the EEO-1 Component 1 Online Filing System?

The EEOC is currently in the process of streamlining the company registration process for the 2021 EEO-1 Component 1 data collection and the system will be available for all filers beginning in **March 2022**. Once the company registration system is available, client employers can create their *EEO-1 Component 1 Online Filing System* user accounts and begin company registration.

The EEOC will be posting a notice on the EEO-1 Component 1 website at <https://eeocdata.org/eeo1> as soon as the company registration system is available. Please continue to monitor this website for additional updates as well as instructions and resource materials for the 2021 EEO-1 Component 1 data collection.



5. Will a third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of client employers still be permitted to upload bulk or consolidated data files for multiple client employers?

No. A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to submit data file uploads on behalf of eligible client employers must do so separately for **each** client employer. The bulk or consolidated upload of data files for multiple client employers by a third-party human resource organization (e.g., PEO, HRO, ASO) **will not be permitted**. Every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to file must have a separate data file upload under that client employer's company record in the *EEO-1 Component 1 Online Filing System*

6. Is a third-party human resource organization (e.g., PEO, HRO, ASO) still permitted to file an EEO-1 Component 1 report(s) on behalf of a client employer?

Yes. A third-party human resource organization (e.g., PEO, HRO, ASO) may still prepare and file an EEO-1 Component 1 Report(s) on behalf of eligible client employers. After the eligible client employer creates their company registration record, the filer can invite their third-party human resource organization (e.g., PEO, HRO, ASO) to create a user account.

Under the updated reporting procedures, a third-party human resource organization (e.g., PEO, HRO, ASO) will no longer be permitted to file for the eligible client employer as an "establishment" of the third-party human resource organization (e.g., PEO, HRO, ASO). In other words, a third-party human resource organization (e.g., PEO, HRO, ASO) may not submit an EEO-1 Component 1 Report(s) that includes itself and a client employer and/or a report that includes multiple client employers.

Additionally, a third-party human resource organization (e.g., PEO, HRO, ASO) filing on behalf of a client employer is **no longer permitted** to certify the client employer's EEO-1 Component 1 Report. An official of the client employer (i.e., "certifying official") must certify the client employer's EEO-1 Component 1 Report. The client employer's "certifying official" **cannot** be from the third-party human resource organization (e.g., PEO, HRO, ASO).

7. With the implementation of these updated procedures, how does a third-party human resource organization (e.g., PEO, HRO, ASO) that is eligible to file an EEO-1 Component 1 report in its own capacity as an employer file an EEO-1 Component 1 report(s) for itself?

A third-party human resource organization (e.g., PEO, HRO, ASO) that is eligible to file an EEO-1 Component 1 Report in its own capacity as an employer **must** submit a report that only includes the third-party human resource organization (e.g., PEO, HRO, ASO) and its own establishments



and employees. The third-party human resource organization's (e.g., PEO, HRO, ASO) own report **must not** include any of its client employers or client employers' establishments.

For example, a PEO that is eligible to file an EEO-1 Component 1 Report in its own capacity as an employer, would file under its own EIN and use the NAICS (North American Industry Classification System) code for PEOs, which is 561330 – *Professional Employer Organizations*. A multi-establishment PEO must also use the appropriate NAICS code for each of its establishments based on the major business activity at each of the PEO's establishment(s) as well as the EIN associated with each of the PEO's own establishments.

8. Is my organization only required to file establishment report(s) for single-establishment and multi-establishment client employers, as was permitted in past EEO-1 Component 1 data collections?

No. Third-party human resource organizations (e.g., PEOs, HROs, ASOs) are **not permitted** to file solely establishment report(s) for a client employer. Third-party human resource organizations (e.g., PEOs, HROs, ASOs) choosing to file on behalf of a single-establishment client employer or a multi-establishment client employer must file all the reports that a client employer filing on its own behalf would be required to file.

9. Under the updated reporting procedures for third-party human resource organizations (e.g., PEOs, HROs, ASOs), if my organization is choosing to file 2021 EEO-1 Component 1 reports on behalf of a single-establishment and/or a multi-establishment client employer, what reports must be filed for the each of these type of client employers?

Third-party human resource organizations (e.g., PEOs, HROs, ASOs) choosing to file on behalf of a single-establishment client employer or a multi-establishment client employer must file all the reports that a client employer filing on its own behalf would be required to file.

Single-Establishment Client Employer: A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a single-establishment client employer must file the following report under the client employer's newly created *EEO-1 Component 1 Online Filing System* company registration:

Type 1 Single-Establishment Report (Type 1 Report): A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a single-establishment client employer, must submit one EEO-1 Component 1 report (i.e., Single-Establishment Report ("Type 1 Report")) for a client employer conducting business at only one establishment. The Type 1 Report must include data for all the single-establishment client employer's employees categorized by race/ethnicity, sex, and job category.



Certification of Report by Client Employer: A third-party human resource organization (e.g., PEO, HRO, ASO) is **not permitted** to certify a client employer's EEO-1 Component 1 Report. An official of the client employer (i.e., "certifying official") must certify the client employer's EEO-1 Component 1 Report. The client employer's "certifying official" **cannot** be from the third-party human resource organization (e.g., PEO, HRO, ASO).

Multi-Establishment Client Employer: A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a multi-establishment client employer, must file the following reports under the client employer's newly created *EEO-1 Component 1 Online Filing System* company registration:

Type 2 Consolidated Report (Type 2 Report): A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a multi-establishment client employer, must submit a Type 2 Consolidated report for the client employer. The Type 2 Report must include data for all employees of the client employer (i.e., all employees at headquarters as well as all establishments) categorized by race/ethnicity, sex, and job category.

Type 3 Headquarters Report (Type 3 Report): A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a multi-establishment client employer, must submit a Type 3 Headquarters Report for the client employer. The Type 3 Headquarters Report must include data for all employees working at the main office site (i.e., headquarters) of the client employer, as well as any remote employees who report to the client 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/or reporting to the headquarters location.

Type 4 Establishment Report (Type 4 Report): A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a multi-establishment client employer, must submit a Type 4 Establishment Report(s) for each establishment of the client employer with 50 or more employees. A Type 4 Report must include employee data for each establishment categorized by race/ethnicity, sex, and job category.

Type 8 Establishment Report (Type 8 Report): A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a multi-establishment client employer, must submit a Type 8 Establishment Report(s) for each establishment of the client employer with fewer than 50 employees. A Type 8 Report must be submitted for each establishment with fewer than 50 employees. The Type 8 Report must include employee data for each establishment categorized by race/ethnicity, sex, and job category.



Discontinuation of Type 6 Establishment List Reports: As part of the EEOC's continuing efforts to modernize the agency's EEO data collections and to improve the quality of data collected, the EEOC 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 to submit such data.

Certification of Report by Client Employer: A third-party human resource organization (e.g., PEO, HRO, ASO) choosing to file on behalf of a multi-establishment client employer is **not permitted** to certify a client employer's EEO-1 Component 1 Report. An official of the client employer (i.e., "certifying official") must certify the client employer's EEO-1 Component 1 Report. The client employer's "certifying official" **cannot** be from the third-party human resource organization (e.g., PEO, HRO, ASO).

10. If a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to file 2021 EEO-1 Component 1 report(s) on behalf of its client employers, which EIN and NAICS codes does the PEO use for its client employers?

Every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) chooses to file will be required to have its own company registration record under the client employer's EIN (i.e., Employer Identification Number, Federal Tax Identification Number, FEIN) within the *EEO-1 Component 1 Online Filing System*. Additionally, all filers will be required to have a user account to gain access to the *EEO-1 Component 1 Online Filing System*. This company registration record **must** be for the client employer itself and not the third-party human resource organization (e.g., PEO, HRO, ASO) filing on the client employer's behalf. Additionally, the NAICS code for the client employer and each of its establishments must be based on the major business activity at each of the client employer's establishment(s) as well as the appropriate EIN for each of the client employer's establishment(s). The PEO is not permitted to use its own NAICS code (i.e., 561330 – *Professional Employer Organizations*) or the PEO's EINs for the client employer's reports (i.e., consolidated, headquarters, establishment(s)).

A third-party human resource organization (e.g., PEO, HRO, ASO) may still prepare and file an EEO-1 Component 1 Report(s) on behalf of eligible client employers. However, the third-party human resource organization (e.g., PEO, HRO, ASO) must do so separately for **each** client employer. The bulk or consolidated upload of data files for multiple client employers **will not be permitted**. Every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to file must have a separate data file upload under that client employer's company record in the *EEO-1 Component 1 Online Filing System*.



11. If a third-party human resource organization (e.g., PEO, HRO, ASO) is not providing EEO-1 Component 1 reporting services for ALL of a client employer's employees, is the organization permitted to file EEO-1 Component 1 report(s) on behalf of the client employer for *just part* of the client employer's employees?

No. As in prior years, a third-party human resource organization (e.g., PEO, HRO, ASO) is not permitted to file EEO-1 Component 1 report(s) on behalf of a client employer for only a partial number of the client employer's employees. In such a situation, the client employer, not the third-party human resource organization (e.g., PEO, HRO, ASO), must file an EEO-1 Component 1 report(s) for ALL of its employees.

12. Is a third-party human resource organization (e.g., PEO, HRO, ASO) still permitted to file an EEO-1 Component 1 report that includes (i.e., covers) *more than one client employer*?

No. Third-party human resource organizations (e.g., PEO, HRO, ASO) will no longer be permitted to file for the eligible client employer as an "establishment" of the third-party human resource organization (e.g., PEO, HRO, ASO). In other words, a third-party human resource organization (e.g., PEO, HRO, ASO) may not submit an EEO-1 Component 1 Report(s) that includes itself and a client employer and/or a report that includes multiple client employers.

Additionally, every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) chooses to file will be required to have its own company registration record under the client employer's EIN (i.e., Employer Identification Number, Federal Tax Identification Number, FEIN) within the *EEO-1 Component 1 Online Filing System*. Additionally, all filers will be required to have a user account to gain access to the *EEO-1 Component 1 Online Filing System*. This company registration record **must** be for the client employer itself and not the third-party human resource organization (e.g., PEO, HRO, ASO) filing on the client employer's behalf.

13. For the 2019 and 2020 EEO-1 Component 1 data collections, my PEO filed a single combined report that covered my PEO's employees as well as those of our client employers. Am I permitted to file the same type of combined report for the 2021 EEO-1 Component 1 data collection?

No. Under the updated reporting procedures for the 2021 EEO-1 Component 1 data collection, a third-party human resource organization (e.g., PEO, HRO, ASO) will no longer be permitted to file for the eligible client employer as an "establishment" of the third-party human resource organization (e.g., PEO, HRO, ASO). In other words, a third-party human resource organization (e.g., PEO, HRO, ASO) may not submit an EEO-1 Component 1 Report(s) that includes itself and a client employer and/or a report that includes multiple client employers.



Additionally, every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) chooses to file will be required to have its own company registration record under the client employer's EIN (i.e., Employer Identification Number, Federal Tax Identification Number, FEIN) within the *EEO-1 Component 1 Online Filing System*. Additionally, all filers will be required to have a user account to gain access to the *EEO-1 Component 1 Online Filing System*. This company registration record **must** be for the client employer itself and not the third-party human resource organization (e.g., PEO, HRO, ASO) filing on the client employer's behalf.

14. Is a third-party human resource organization (e.g., PEO, HRO, ASO) permitted to certify an EEO-1 Component 1 report(s) filed on behalf of a client employer?

No. A third-party human resource organization (e.g., PEO, HRO, ASO) is **not permitted** to certify a client employer's EEO-1 Component 1 Report. An official of the client employer (i.e., "certifying official") must certify the client employer's EEO-1 Component 1 Report. The client employer's "certifying official" **cannot** be from the third-party human resource organization (e.g., PEO, HRO, ASO).

15. If a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to file a 2021 EEO-1 Component 1 report(s) on behalf of its client employers, is the organization required to file reports for client employers that do not otherwise meet the EEO-1 Component 1 filing thresholds?

No. If a client employer of a third-party human resource organization (e.g., PEO, HRO, ASO) is not otherwise subject to the EEO-1 Component 1 filing requirements, that client employer is not required to file an EEO-1 Component 1 report(s) simply by virtue of being a client of a third-party human resource organization (e.g., PEO, HRO, ASO).

For example, a client employer that is a single-establishment company with only 40 employees would not meet the eligibility thresholds requiring it to file an EEO-1 Component 1 report. Thus, neither this client employer nor its PEO would be required to report its employees for purposes of the 2021 EEO-1 Component 1 report.

16. My company is an HRO and we process payroll for client employers under both our EIN as well as our client employers' EINs. We have several client employers that we process payroll for under our HRO's EIN that do not meet the EEO-1 Component 1 filing thresholds. Is our HRO required to file for any of our client employers?

If a client employer of a third-party human resource organization (e.g., PEO, HRO, ASO) is not otherwise subject to the EEO-1 Component 1 filing requirements, that client employer is not required to file an EEO-1 Component 1 report(s) simply by virtue of being a client of a third-party



human resource organization (e.g., PEO, HRO, ASO) and/or using the organization's EIN for payroll purposes.

Additionally, it is the responsibility of a client employer to ensure a report is filed for its company. If a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing NOT to file a client employer's 2021 EEO-1 Component 1 report, the client employer is still required to have its own company registration record under the client employer's EIN (i.e., Employer Identification Number, Federal Tax Identification Number, FEIN) within the *EEO-1 Component 1 Online Filing System*. The company registration system for the 2021 EEO-1 Component 1 data collection will be available for all filers beginning in **March 2022**. Once the company registration system is available, client employers can create their *EEO-1 Component 1 Online Filing System* user accounts and begin company registration.

***Considerations for Current and Former Client Employers
of Third-Party Human Resource Organizations
(e.g., PEOs, HROs, ASOs)***

17. If my company is a former client employer (i.e., client company) of a third-party human resource organization (e.g., PEO, HRO, ASO), how do I obtain prior year EEO-1 Component 1 reports filed by my former PEO on my company's behalf?

As in prior data collection years, the EEOC **cannot** provide client employers with any prior year EEO-1 Component 1 report(s) filed on behalf of the client employer by a third-party human resource organization (e.g., PEO, HRO, ASO). Client employers for which a third-party human resource organization (e.g., PEO, HRO, ASO) filed historical EEO-1 Component 1 data on the client employer's behalf will be instructed to contact the third-party human resource organization (e.g., PEO, HRO, ASO) to obtain any such reports.

18. If my company is a current client employer (i.e., client company) of a third-party human resource organization (e.g., PEO, HRO, ASO) but the organization is not preparing and filing my 2021 EEO-1 Component 1 report, how do I obtain prior year reports filed by one of these organizations on my company's behalf?

As in prior data collection years, the EEOC **cannot** provide client employers with any prior year EEO-1 Component 1 report(s) filed on behalf of the client employer by a third-party human resource organization (e.g., PEO, HRO, ASO). Client employers for which a third-party human resource organization (e.g., PEO, HRO, ASO) filed historical EEO-1 Component 1 data on the client employer's behalf will be instructed to contact the third-party human resource organization (e.g., PEO, HRO, ASO) to obtain any such reports.



19. A third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to prepare and file my company's 2021 EEO-1 Component 1 report. Who is responsible for ensuring my report is filed?

It is the responsibility of your company (i.e., the client employer) to ensure a report is filed on your behalf. If a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to prepare and file your 2021 EEO-1 Component 1 report, please contact the organization to ensure it has your necessary information to file.

Please ensure a 2021 EEO-1 Component 1 report is filed for your company under your company's new *EEO-1 Component 1 Online Filing System* company registration. Beginning with the 2021 EEO-1 Component 1 data collection, every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO, ASO) chooses to file will be required to have its own company registration record under the client employer's EIN (i.e., Employer Identification Number, Federal Tax Identification Number, FEIN) within the *EEO-1 Component 1 Online Filing System*. Additionally, all filers will be required to have a user account to gain access to the *EEO-1 Component 1 Online Filing System*. This company registration **must** be for the client employer itself and not the third-party human resource organization (e.g., PEO, HRO, ASO) filing on the client employer's behalf.

Also, please note that beginning with the 2021 EEO-1 Component 1 data collection, a third-party human resource organization (e.g., PEO, HRO, ASO) is **not permitted** to certify a client employer's EEO-1 Component 1 Report. An official of the client employer (i.e., "certifying official") must certify the client employer's EEO-1 Component 1 Report. The client employer's "certifying official" **cannot** be from the third-party human resource organization (e.g., PEO, HRO, ASO).

20. What should my company do if I am a current client employer of a PEO but the PEO is choosing not to prepare and file my company's 2021 EEO-1 Component 1 report?

It is the responsibility of a client employer to ensure a report is filed for its company. If a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing NOT to file a client employer's 2021 EEO-1 Component 1 report, the client employer is still required to have its own company registration record under the client employer's EIN (i.e., Employer Identification Number, Federal Tax Identification Number, FEIN) within the *EEO-1 Component 1 Online Filing System*. The company registration system for the 2021 EEO-1 Component 1 data collection will be available for all filers beginning in **March 2022**. Once the company registration system is available, client employers can create their *EEO-1 Component 1 Online Filing System* user accounts and begin company registration.



The EEOC will be posting a notice on the EEO-1 Component 1 website at <https://eeocdata.org/eeo1> as soon as the 2021 *EEO-1 Component 1 Online Filing System* company registration has opened. Please continue to monitor this website for additional updates as well as instructions and resource materials for the 2021 EEO-1 Component 1 data collection.

21. What should my company do if I am a former client employer of a PEO and I need to file a 2021 EEO-1 Component 1 report on my company's own behalf for the first time?

It is the responsibility of your company to ensure a 2021 EEO-1 Component 1 report(s) is filed for your company. If you are a former client employer of a third-party human resource organization (e.g., PEO, HRO, ASO), your company is still required to have its own company registration record under the client employer's EIN (i.e., Employer Identification Number, Federal Tax Identification Number, FEIN) within the *EEO-1 Component 1 Online Filing System*. The company registration system for the 2021 EEO-1 Component 1 data collection will be available for all filers beginning in **March 2022**. Once the company registration system is available, client employers can create their *EEO-1 Component 1 Online Filing System* user accounts and begin company registration.

The EEOC will be posting a notice on the EEO-1 Component 1 website at <https://eeocdata.org/eeo1> as soon as the 2021 *EEO-1 Component 1 Online Filing System* company registration has opened. Please continue to monitor this website for additional updates as well as instructions and resource materials for the 2021 EEO-1 Component 1 data collection.

22. My company has changed our third-party human resource organization (e.g., PEO, HRO, ASO). Which organization (i.e., the former or current organization) is responsible for filing my 2021 EEO-1 Component 1 report?

It is the responsibility of your company to determine which third-party human resource organization (e.g., PEO, HRO, ASO) will be choosing to prepare and file your 2021 EEO-1 Component 1 report on your company's behalf. It is also the responsibility of your company to ensure a 2021 EEO-1 Component 1 report is filed on your company's behalf. If a third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to prepare and file your 2021 EEO-1 Component 1 report, please contact the organization to ensure it has your necessary information to file.

If neither your former nor current third-party human resource organization (e.g., PEO, HRO, ASO) is choosing to prepare and file the 2021 Component 1 report(s) on your company's behalf, your company is still required to have its own company registration record under the client employer's EIN (i.e., Employer Identification Number, Federal Tax Identification Number, FEIN) within the *EEO-1 Component 1 Online Filing System*. The company registration system for the 2021 EEO-1 Component 1 data collection will be available for all filers beginning in **March 2022**. Once the



company registration system is available, client employers can create their *EEO-1 Component 1 Online Filing System* user accounts and begin company registration.

The EEOC will be posting a notice on the EEO-1 Component 1 website at <https://eeocdata.org/eeo1> as soon as the 2021 *EEO-1 Component 1 Online Filing System* company registration has opened. Please continue to monitor this website for additional updates as well as instructions and resource materials for the 2021 EEO-1 Component 1 data collection.

23. If a client employer uses a third-party human resource organization's (e.g., HRO) EIN for payroll purposes, is the client employer required to file an EEO-1 Component 1 report even if it is not otherwise subject to the EEO-1 Component 1 filing requirements?

No. If a client employer uses a third-party human resource organization's (e.g., HRO) EIN for payroll purposes and the client employer is not otherwise subject to the EEO-1 Component 1 filing requirements, that client employer is not required to file an EEO-1 Component 1 report(s) simply by virtue of being a client of a third-party human resource organization (e.g., HRO) and/or using the organization's EIN for payroll purposes.

For example, a single-establishment client employer with only 40 employees that uses a HRO's EIN for payroll purposes would not meet the eligibility thresholds requiring it to file an EEO-1 Component 1 report.

24. My company is a client employer of an HRO, and ALL of my employees are paid under the HRO's EIN. What are my reporting requirements as a client employer for purposes of the EEO-1 Component 1 report?

If your company (i.e., client employer) meets the EEO-1 Component 1 eligibility requirements, then your company is required to submit an EEO-1 Component 1 report(s). The EEO-1 Component 1 report(s) filed by your company (or on behalf of your company by a third-party human resource organization) must include **ALL** of your company's employees, even if **some or all** of those employees were paid under the HRO's EIN.

***Considerations for Administrative Services Organizations (ASOs)
(i.e., Third-Party Human Resource Organizations)***

25. My company is an ASO (Administrative Services Organization), do the updated reporting procedures for third-party human resource organizations also apply to my organization?

Yes. The updated reporting procedures for the 2021 EEO-1 Component 1 data collection also apply to Administrative Services Organizations (ASOs).



26. For the 2019 and 2020 EEO-1 Component 1 data collections, my ASO was permitted to link multiple companies (i.e., client employers) to an individual account created by my ASO within the EEO-1 Component 1 Online Filing System. Will I still be permitted to link multiple companies (i.e., client employers) to my individual account for the 2021 EEO-1 Component 1 data collection?

Yes. For the 2021 EEO-1 Component 1 data collection, ASOs will be permitted to link multiple companies (i.e., client employers) to an individual user account.

Every eligible client employer on behalf of which a third-party human resource organization (e.g., PEO, HRO) chooses to file will be required to have its own company registration record under the client employer's EIN (i.e., Employer Identification Number, Federal Tax Identification Number, FEIN) within the *EEO-1 Component 1 Online Filing System*. Additionally, all filers will be required to have a user account to gain access to the *EEO-1 Component 1 Online Filing System*. This company registration record **must** be for the client employer itself and not the third-party human resource organization (e.g., PEO, HRO) filing on the client employer's behalf.

The EEOC is currently in the process of streamlining the company registration process for the 2021 EEO-1 Component 1 data collection and the system will be available for all filers beginning in **March 2022**. Once the company registration system is available, client employers can create their *EEO-1 Component 1 Online Filing System* user accounts and begin company registration.

The EEOC will be posting a notice on the EEO-1 Component 1 website at <https://eeocdata.org/eoo1> as soon as the 2021 *EEO-1 Component 1 Online Filing System* company registration has opened. Please continue to monitor this website for additional updates as well as instructions and resource materials for the 2021 EEO-1 Component 1 data collection.