



## FACT SHEET

### OFFICIAL CERTIFICATION OF SUBMISSION

#### NOTICE

Employers (i.e., filers) should read the [2023 EEO-1 Component 1 Instruction Booklet](#) (i.e., “*Instruction Booklet*”) prior to and in conjunction with using the below “fact sheet.” Filers must ensure they are complying with the EEOC’s substantive filing requirements detailed in the *Instruction Booklet* and should not refer solely to this “fact sheet” to complete their required 2023 EEO-1 Component 1 filing. The *2023 EEO-1 Component 1 Instruction Booklet* may be accessed at the following link on the EEOC’s dedicated EEO-1 Component 1 website ([www.eeocdata.org/eo1](http://www.eeocdata.org/eo1)):  
[https://www.eeocdata.org/pdfs/2023 EEO 1 Component 1 Instruction Booklet.pdf](https://www.eeocdata.org/pdfs/2023%20EEO%201%20Component%201%20Instruction%20Booklet.pdf).

Once an employer’s reports have been completed, the name and contact information for the employer’s “Certifying Official” and the employer’s “Primary Point of Contact (POC) for EEO-1 Component 1 Reporting” (i.e., “Primary POC”) for receiving communications from the EEOC regarding the report must be provided in the *EEO-1 Component 1 Online Filing System (OFS)*.

Employers are permitted to have the same individual from the employer serve as both the “Certifying Official” and the “Primary POC” for the employer’s “Official Certification of Submission.” However, the individual serving as the “Certifying Official” *must* be an official (i.e., employee) of the employer. For example, employers using a third-party human resource organization (e.g., PEO, HRO, ASO) are *not* permitted to have an official (i.e., employee) of the third-party human resource organization certify an employer’s EEO-1 Component 1 report(s). An official of the employer *must* certify the employer’s EEO-1 Component 1 report(s).

The “Certifying Official” will certify to the below statement within the *OFS*.

***“I certify that the information, including any workforce demographic data, provided in this report is correct and true to the best of my knowledge and was prepared in conformity with the directions set forth in the form and accompanying instructions.”***

Below this statement, the EEOC provides written notice to the “Certifying Official” that **“[k]nowingly and willfully false statements on this report are punishable by law, US Code, Title 18, Section 1001.”**

Please note that if an employer fails to complete the *final* step to “Certify EEO-1 Component 1 Report(s)” within the *EEO-1 Component 1 Online Filing System (OFS)*, the status of the employer’s filing will be considered “incomplete” by the EEOC. Please note that even if the employer has



submitted data for each of its required reports, the filing will not be considered complete by the EEOC until the employer certifies its submission in the *EEO-1 Component 1 Online Filing System (OFS)*.

Any employer that has not certified its submission in the *OFS* by the “Published Due Date” (i.e., published deadline) will receive a “Notice of Failure to File” from the EEOC requesting that the employer certify its submission in order to complete the required filing.

### SECTION K – OFFICIAL CERTIFICATION OF SUBMISSION

For a **single-establishment employer**, this section (i.e., “Section K – OFFICIAL CERTIFICATION OF SUBMISSION”) will appear in the PDF version of the employer’s “**Single-Establishment Employer Report**” generated by the *EEO-1 Component 1 Online Filing System (OFS)*.

For a **multi-establishment employer**, this section (i.e., “Section K – OFFICIAL CERTIFICATION OF SUBMISSION”) will appear in the PDF version of the employer’s “**Consolidated Report**” generated by the *EEO-1 Component 1 Online Filing System (OFS)*.

*“Section K – OFFICIAL CERTIFICATION OF SUBMISSION” contains the following information:*

#### **Employer Identification**

This section contains identifying information about the single-establishment employer or multi-establishment employer, including the employer’s name, address, and “*OFS* Company ID.” For a multi-establishment employer, the “Employer Name” would be, for example, the name of the parent company or holding company, and the “Address” would be the associated address. The “*OFS* Company ID” is a unique, seven-character identification number associated with each employer. It is assigned by the EEOC.

#### **Certification Comments (optional)**

A single-establishment or multi-establishment employer *may* provide the EEOC with any final comments regarding its submission in this sub-section.<sup>1</sup> Any comments provided will be populated in this section. If no comments are submitted, a “No Certification Comments Provided” will be populated in this section.

<sup>1</sup> As discussed in the section of the [2023 EEO-1 Component 1 Instruction Booklet](#) entitled “**REPORTING BY SEX**,” the EEO-1 Component 1 data collection currently provides only binary options (i.e., male or female) for reporting employee counts by sex, job category, and race or ethnicity. However, employers may *voluntarily* choose to report employee demographic data for non-binary employees – that is, employees who do not identify as exclusively male or female – by sex (i.e., non-binary), job category and race or ethnicity in the “comments” section of the report(s). Employers that voluntarily choose to report non-binary employees in the “comments” section of the report(s) should not assign such employees to the male or female categories or any other categories (i.e., job category and race or ethnicity) within the report(s). Single-establishment employers that *voluntarily* choose to report demographic data for non-binary employees may do so in the “Certification Comments” section within the *OFS*. Multi-establishment employers that *voluntarily* choose to report demographic data for non-binary employees may do so in the “Headquarters or Establishment-Level Comments” section. The *2023 EEO-1 Component 1 Instruction Booklet* may be accessed at the following link on the EEOC’s dedicated EEO-1 Component 1 website ([www.eeocdata.org/eeo1](http://www.eeocdata.org/eeo1)): [www.eeocdata.org/pdfs/2023\\_EEO\\_1\\_Component\\_1\\_Instruction\\_Booklet.pdf](http://www.eeocdata.org/pdfs/2023_EEO_1_Component_1_Instruction_Booklet.pdf).



### ***Certification Statement***

The employer’s “Certifying Official” will certify to the following statement in the *OFS*:

*“I certify that the information, including any workforce demographic data, provided in this report is correct and true to the best of my knowledge and was prepared in conformity with the directions set forth in the form and accompanying instructions.”*

Below this statement, the EEOC provides written notice to the “Certifying Official” that “[k]nowingly and willfully false statements on this report are punishable by law, US Code, Title 18, Section 1001.”

### ***Date of Certification***

The *OFS* will automatically generate the month, day, year, and time (e.g., May 2, 2024 9:00 AM) that the submission was certified by the employer in the *OFS*.

### ***Employer’s Certifying Official***

The individual serving as the “Certifying Official” *must* be an official (i.e., employee) of the employer. For example, an employer using a third-party human resource organization (e.g., PEO, HRO, ASO) is *not* permitted to have an official (i.e., employee) of the third-party human resource organization certify an employer’s EEO-1 Component 1 report(s). An official of the employer *must* certify the employer’s EEO-1 Component 1 report(s).

*This sub-section contains the following information:*

- Name of Employer’s Certifying Official
- Title of Certifying Official
- Email Address of Certifying Official
- Telephone Number of Certifying Official

### ***Primary Point of Contact (POC) for EEO-1 Component 1 Reporting***

In addition to a “Certifying Official,” employers must also provide a “Primary Point of Contact (POC) for EEO-1 Component 1 Reporting” (i.e., “Primary POC”) for receiving communications from the EEOC regarding the report. Employers may choose the same individual to serve as both the employer’s “Certifying Official” and the “Primary POC”. Alternatively, an employer may provide a different individual to be its “Primary POC”. However, the “Certifying Official” must be an employee of the employer and not, for example, an employee or representative of the employer’s third-party human resource organization (e.g., PEO, ASO, HRO) filing on the employer’s behalf.

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*This sub-section contains the following information:*

- Name of Primary POC
- Title and Employer of Primary POC
- Email Address of Primary POC
- Telephone Number of Primary POC

## EEOC 2023 EEO-1 Component 1 Data Collection

All updates about the 2023 EEO-1 Component 1 data collection, including the *2023 EEO-1 Component 1 Instruction Booklet* and the *2023 EEO-1 Component 1 Data File Upload Specifications*, are available on the EEOC's dedicated EEO-1 Component 1 website at [www.eeocdata.org/eeo1](http://www.eeocdata.org/eeo1).

To further assist filers, the EEOC provides supplementary resource materials (e.g., user's guide; frequently asked questions (FAQs); fact sheets; mini help desk guides) at the opening of each data collection. Access by registered *EEO-1 Component 1 Online Filing System (OFS)* account holders to these supplementary resource materials is available through the EEOC's dedicated EEO-1 Component 1 data collection website at [www.eeocdata.org/eeo1](http://www.eeocdata.org/eeo1).

The deadline to file the 2023 EEO-1 Component 1 report is **11:00 pm ET (i.e., Eastern Time) on Tuesday, June 4, 2024** (i.e., "Published Due Date"). Following the **Tuesday, June 4, 2024** "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-1 Component 1 report(s) by the **Tuesday, June 4, 2024** "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 11:00 pm ET (i.e., Eastern Time) on Tuesday, July 9, 2024* (i.e., "Failure to File" deadline). After the **Tuesday, July 9, 2024** "Failure to File" deadline passes, *no* additional 2023 EEO-1 Component 1 report(s) will be accepted, and eligible employers will be *out of compliance* with their mandatory 2023 EEO-1 Component 1 filing obligations.

**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 demographic data, including data by job category and sex and race or ethnicity, to the EEOC. The authorities under which EEO-1 Component 1 data are collected include: Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., and Sections 1602.7-1602.14, Chapter XIV, Title 29 of the Code of Federal Regulations (CFR); Exec. Order No. 11246, 30 FR 12319 (Sept. 24, 1965) and 41 CFR 60-1.7(a).**