



FACT SHEET

REPORTING BY RACE OR ETHNICITY

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/eeo1): [www.eeocdata.org/pdfs/2023 EEO 1 Component 1 Instruction Booklet.pdf](http://www.eeocdata.org/pdfs/2023%20EEO%201%20Component%201%20Instruction%20Booklet.pdf).

Voluntary self-identification by employees is the preferred method of identifying the race and/or ethnicity information required for the EEO-1 Component 1 report.

The basic principles for race and ethnicity self-identification for purposes of the EEO-1 Component 1 report are:

- (1) Offer employees the opportunity to self-identify.
- (2) Provide a statement about the voluntary nature of this inquiry for employees.

For example, language such as the following may be used (employers 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 their race and/or ethnicity, employment records or observer identification may be used. Where records are maintained, they should be kept separately from the employee’s basic personnel file or other records available to those responsible for personnel decisions.



Definitions of the race and ethnicity categories used by the EEOC for purposes of EEO-1 Component 1 reporting are found in **Appendix B** of the [2023 EEO-1 Component 1 Instruction Booklet](#). Instructions for assigning employees into these categories are also provided in **Appendix B**. 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 (i.e., www.eeocdata.org/eeo1): [www.eeocdata.org/pdfs/2023 EEO 1 Component 1 Instruction Booklet.pdf](http://www.eeocdata.org/pdfs/2023%20EEO%201%20Component%201%20Instruction%20Booklet.pdf).

Please note that race and ethnicity designations, as used by the EEOC for the EEO-1 Component 1 report, 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.

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.

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.

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 40 CFR 60-1.7(a).