



AAP/EEO-1 NOTEBOOK

EEO-1 SURVEY FILING DEADLINE FAST APPROACHING

SEPTEMBER 2008

The deadline for filing the *revised* EEO-1 Survey is September 30, 2008 and is fast approaching. All private employers who are required to file an EEO-1 Survey report must do so by that date. Most EEO-1 forms may be filed online.

What Is An EEO-1 Report: The EEO-1 report summarizes an employer's workforce. It provides a count of employees by job category and by ethnicity, race and gender.

Who Receives the EEO-1 Report: The report is submitted to both the EEOC and the Office of Federal Contract Compliance Programs within the Department of Labor (OFCCP regulates federal contractors and subcontractors).

Who Must File: The EEO-1 form must be filed by any covered private employer. Covered private employers primarily fall into one of the following categories.

- A private employer that is both (a) subject to Title VII of the Civil Rights Act and (b) has 100 or more employees;
- A private employer, (a) subject to Title VII of the Civil Rights Act, that (b) has fewer than 100 employees but is part of a group

that constitutes a single entity that employs a total of 100 or more employees (a single entity will be found where the private employer is owned by another company, is affiliated with another company, or shares centralized ownership, control or management with another company);

- A private employer that (a) is a non-exempt federal contractor or first tier subcontractor, (b) has a federal contract or subcontract valued at \$50,000 or more, and (c) has 50 or more employees;
- A private employer that (a) is a non-exempt federal contractor or first tier subcontractor, (b) has 50 or more employees, and (c) serves as a depository for government funds or is a financial institution that is an issuing and paying agent for U.S. Savings Bonds and Notes.

New Race and Ethnic Identification Categories: Previously, the EEO-1 report required the use of five race and ethnic categories. The EEO-1 Report has been revised, however, and effective with the September 30, 2008 report data must be reported in seven race and ethnic categories. Most notably, a category titled



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"two or more races" has been added and the former "Asian or Pacific Islander" category has been divided into two separate categories - "Asian" and "Native Hawaiian or other Pacific Islanders." As a result, covered private employers who have been using the prior five category system must revise their data systems for collecting and reporting the race and ethnicity data using the new seven category system.

2008 EEO-1 Survey Homepage: The EEOC has provided a homepage for more information regarding the 2008 EEO-1

Survey: www.eeoc.gov/eo1survey/index.html. This page includes information about the EEO-1 Survey, a downloadable Instruction Booklet, and a login link for employers wishing to complete and file their report.

Bullard Smith also is available to provide assistance with any EEO-1 related issues. Please also feel free to contact us with any questions regarding OFCCP audits, affirmative action plans, or any other labor, employment and benefits issues.