

LEGAL UPDATE



HIGHLIGHTS

- The EEOC proposed opening the portal for employers to begin submitting 2024 EEO-1 Reports on **May 20, 2025**.
- The EEOC proposed a deadline to submit reports of **June 24, 2025**.
- The EEOC's proposed EEO-1 Instruction Booklet would remove the option to provide information about nonbinary employees.

EEOC Proposes May 20 Opening and June 24 Deadline for 2024 EEO-1 Reports

In April 2025, the U.S. Equal Employment Opportunity Commission (EEOC) requested approval from the White House Office of Management and Budget (OMB) for its [2024 EEO-1 Component 1 Data Collection Instruction Booklet](#) (EEO-1 Instruction Booklet). If the OMB approves the EEO-1 Instruction Booklet, the EEO-1 portal is scheduled to open on **May 20, 2025**, and the deadline to file 2024 EEO-1 Reports will be **June 24, 2025**. The final opening and deadline dates will be published on the EEO-1 [portal](#).

EEO-1 Overview

The EEO-1 Report is a federally mandated survey that collects workforce data categorized by race, ethnicity, sex and job category. Under Title VII of the Civil Rights Act, certain employers must usually submit EEO-1 Reports by March 31 each year. For 2024 EEO-1 Reports, however, the EEOC has proposed an extension of the deadline to **June 24, 2025**.

Covered Entities

The following entities are subject to EEO-1 reporting:

- A **private employer** that has **100 or more employees** (with limited exceptions for schools and other organizations);
- A private employer with between 15 and 99 employees, if it is part of a group of employers that legally constitutes a single enterprise that employs a total of 100 or more employees; and
- A **federal contractor** that has **50 or more employees**; is either a prime contractor or first-tier subcontractor; and has a contract, subcontract or purchase order amounting to **\$50,000** or more.

Although President Donald Trump revoked [Executive Order \(EO\) 11246](#), which required federal contractors with 50 or more employees to submit EEO-1 Reports, the EEO-1 Instruction Booklet still makes reference to EO 11246 and specifies that such contractors must still submit 2024 EEO-1 Reports.

Removal of Nonbinary Reporting Option

In prior EEOC instructions, covered entities could voluntarily report the number of employees who self-reported as “nonbinary” when indicating their sex. The proposed 2024 EEO-1 Instruction Booklet would remove this option and require employers to report each employee’s sex as either male or female.

Employer Takeaways

Although the EEOC’s proposed reporting period has not yet been approved, employers may begin collecting the information needed to submit their EEO-1 Reports. Employers may also monitor for updates on the final instructions and related deadlines from the EEOC.