

# 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.