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## **EEOC Announces Intent To Rescind EEO-1 Requirements**

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May 2026

Private sector employers with 100 or more employees and federal contractors with 50 or more employees that meet specific federal contract monetary thresholds are required to complete and submit an annual report, known as an EEO-1 report, which contains various types of workplace demographic data from the previous year. Local unions with 100 or more employees that refer members for employment are required to complete and submit an EEO-3 report containing demographic data for union membership, applicants, and referrals. State and local government entities with 100 or more employees are required to complete and submit similar reports. Employers that fail to file reports may be compelled to file reports by order of a federal district court.

On May 14, 2026, the Equal Employment Opportunity Commission (“EEOC”) submitted a proposal to the White House’s Office of Information and Regulatory Affairs to rescind the various EEO reporting requirements. The proposal, titled, *Rescission of EEO-1, EEO-2, EEO-3, EEO-4, EEO-5, And Reporting Requirement Under Title VII, the ADA, GINA, and the PWFA*, indicates that reporting requirements being targeted for rescission are the EEO-1 report as well as union, state and local government, and public school data collection reports. This action would result in a reduced reporting burden for private and public sector employers and unions.

The EEOC has not yet published instructions or opened its online portal for 2025 EEO-1 reporting which is unusual given that the portal opened in late May last year. Despite the seemingly welcome news, employers are encouraged to remain prepared to file the EEO-1 report for 2025 until the completion of the administrative rulemaking process, which requires a 60-day public comment period, before publication. Employers can, however, be cautiously optimistic regarding the elimination of the reporting requirement for future years while maintaining their current workforce data collection process and monitoring agency updates for a definitive end to the EEO data reporting requirements.

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