CLIENT ALERTS & INSIGHTS

EEOC Proposes Rollback of EEO-1 Reporting Requirements

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On May 14, 2026, the Equal Employment Opportunity Commission ("EEOC") submitted a proposal to the White House Office of Management and Budget ("OMB") that would significantly reduce workplace demographic-reporting obligations for employers. The proposal targets the longstanding EEO-1 reporting process, which currently requires covered employers to annually report workforce demographic data based on race, sex, and national origin.

The proposal is also expected to impact other reporting regimes, including EEO-3, EEO-4, and EEO-5 filings covering unions, state and local governments, and public schools. It is unclear whether the potential elimination of EEO-1 reporting will affect this year's filing window. The EEOC has not opened its EEO-1 portal, which opened in late May last year for 2026.

The proposal is consistent with the Trump Administration's focus on reducing or eliminating diversity, equity, and inclusion ("DEI") initiatives. The EEOC acting chair, Andrea Lucas, has previously criticized such practices and opined the initiatives may themselves constitute discrimination.

Practical Implications

Currently, employers with at least 100 employees must complete annual EEO reports, identifying employees by demographic category and job classification. For employers operating across multiple entities or locations, the reporting process can become highly administrative and burdensome. Ensuring accurate submissions frequently requires Human Resources and Legal teams to spend substantial time reconciling workforce data, establishment structures, and employee classifications. If implemented, the proposed changes could significantly lessen the administrative burden that employers may face, including fewer reporting obligations, reduced compliance costs, and less time spent preparing annual demographic reports. This could be particularly impactful for employers with complex corporate structures or decentralized operations.

The Benesch Labor & Employment Practice Group will continue to monitor developments and provide updates as appropriate. If you have any questions, please reach out to the team.