KAUFMAN DOLOWICH LLP

"U.S. EEOC Proposes Eliminating EE0-1 P
Menaged, Esq., 9-16-2026

The U.S. Equal Employment Opportunity Commission (EEOC) has prop
reporting requirement, a significant potential change for covere

On July 21, 2026, the EEOC had voted to issue an NPRM that would propose
reporting requirement, along with five other EEO data-reporting
preservation obligations associated with those reports. The prop

The proposal is not yet final. Employers remain subject to exist

The Proposed Elimination of EEO-1 Reporting

The EEO-1 report has long required covered private employers and
demographic information. The report generally collects workforce
longstanding component of the EEOC's employment data collection.

Under the proposed rule, the EEOC would remove the regulatory pr
also rescind the EEO-2 through EEO-6 reporting requirements, whi
apprenticeship programs (EEO-2), certain labor organizations (EE
elementary and secondary school systems and districts (EEO-5), a
also rescind the report-specific recordkeeping and record-preser
collected the EEO-2 or EEO-6 reports for decades, so formally re
regulations to existing agency practice.

The proposal would not, however, eliminate all EEOC record-prese
applicable to employers and other covered entities would remain

The EEOC states that it has preliminarily determined that the re
law, potentially raise constitutional concerns and collect infor
discrimination laws.

The Commission also cited the administrative burden associated w
alone imposes more than $273 million in annual costs on private
agency.

EEOC's Investigatory Authority Would Remain

Eliminating routine EEO reporting would not eliminate the EEOC's
of discrimination.

The EEOC emphasized that its authority to request specific recor unchanged. The proposed rule instead addresses the routine colle whether there has been an allegation or indication of unlawful d

Likewise, the proposal would not alter employers' substantive ob remain subject to Title VII of the Civil Rights Act of 1964 and

What Happens Next

The proposed rule must proceed through the federal rulemaking pr

The EEOC finished accepting public comments on the proposal on A Commission will consider the comments and other information rece

Accordingly, employers should not treat the proposal as an immed which could be sometime this fall, covered employers should cont record-preservation requirements.

What Employers Should Know

If finalized, the proposal would represent a substantial change employers and certain federal contractors would no longer be req workforce demographic information currently collected through th

Employers should nevertheless be cautious about assuming that el obligations involving workforce demographic information or emplo independently require employers to collect, retain or report cer requirements would remain in effect.

Employers should monitor the rulemaking process and evaluate how recordkeeping and reporting practices.

Kaufman Dolowich attorneys will continue to monitor developments

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