

EEOC's Latest Attack on Civil Rights: Eliminating Workforce Data Collection

Discrimination thrives in secrecy: we cannot ensure opportunity for all workers unless we know where barriers and gaps exist. For sixty years, the U.S. Equal Employment Opportunity Commission (EEOC), the agency tasked with enforcing federal workplace anti-discrimination laws, has collected workforce demographic data from large employers through what is called the EEO-1 Component 1 data collection (EEO-1). By providing a picture of how workers are represented in different job categories based on sex, race, and ethnicity, this data helps identify barriers to equal opportunity and guide efforts to prevent and redress workplace discrimination. But now, the EEOC is moving to rescind the regulations that require employers to submit this data to the agency, meaning it will no longer collect and publish this information.¹

Under the leadership of Chair Andrea Lucas, EEOC has weaponized civil rights protections to attack employers that promote diversity, equity, and inclusion in the workplace, suggesting that efforts to ensure equal opportunity for all workers inherently discriminate against white men.² At the same time, the agency has undermined anti-discrimination enforcement on behalf of women, workers of color, and LGBTQI+ workers, who continue to experience discrimination at extremely high rates.³ The EEOC's decision to stop collecting information about who is in the workforce is just the agency's latest attack on civil rights, and it is a policy priority taken directly from Project 2025,⁴ the extreme policy agenda that aims to reinforce racial and gender hierarchies and gut anti-discrimination protections. Eliminating data about the demographics of the workforce not only makes discrimination harder to identify and address; it also makes it easier for the EEOC to justify enforcement priorities driven by politics rather than facts.

About the EEO-1 Component 1 Data Collection

Since the 1960s, the EEOC has required employers with 100 or more employees to submit workforce demographic data annually through the EEO-1 data collection.⁵ Employers are required to report demographic information (race, ethnicity, and sex) about their workforce across ten job categories, ranging from executive-level managers to service workers.

Employers are required by federal law to maintain this data: Title VII of the Civil Rights Act

of 1964 requires covered employers to create and maintain records “relevant to the determinations of whether unlawful employment practices have been or are being committed,” which necessarily includes demographic data.⁶ Title VII requires employers to use those records to make reports “as prescribed by regulation,” and EEOC regulations require employers to submit these EEO-1 reports to the EEOC.⁷

EEO-1 Data Helps Combat Discrimination

Collecting workforce demographic data through the EEO-1 collection helps the EEOC, state and local civil rights enforcement agencies, and advocates combat discrimination.

The EEOC uses this data to identify trends—for example, the data can help the agency identify particular industries where there are barriers to opportunity. The agency also uses the data to prioritize its limited resources by identifying and addressing significant and systemic disparities. The ability to direct resources where the data shows the biggest problems exist, so that the EEOC’s limited resources can have the greatest impact, has always been critically important, and particularly so now that the EEOC is facing historically low staffing levels.⁸

The EEOC also shares data collected through the EEO-1 and other data collections with state and local enforcement agencies, which use this data to identify trends and enforcement priorities in their jurisdictions.⁹ States have reported that they rely on statewide EEO-1 data to effectively set enforcement priorities and investigate cases. Without access to this data, states would need to invest additional resources to develop new methods to identify priorities for investigation and enforcement, and harmful employment practices and trends would likely go undetected.¹⁰

Additionally, the EEOC and private plaintiffs use EEO-1 data to help prove their employment discrimination claims in court.¹¹ For example, in a race discrimination lawsuit brought by a manager at an insurance company, a federal court found that the plaintiff’s use of EEO-1 data to show evidence of racial disparities at the manager level was “highly probative and relevant to drawing an inference of racial discrimination.”¹²

Finally, the EEOC has historically published aggregate

data from the EEO-1 data collection on its website, including the full data sets as well as dashboards that break down the data by job category, industry, and state. This publicly available data allows users to identify patterns. For example, in 2023, more than three times as many women as men were employed as administrative support workers; by contrast, nearly twice as many men were employed as executive/senior level officials compared to women.¹³ A range of stakeholders, including researchers, advocates, and employers, use this information to better understand barriers to opportunity and potential interventions to help ensure that everyone has a fair shot at getting a job and advancing at work.¹⁴

Eliminating Data Collection is an Attack on Civil Rights

On Chair Lucas’ watch, the EEOC has consistently abdicated its duty to workers across the country. Now, the agency is throwing away an effective tool that has helped it identify and remediate discrimination for over sixty years. As workers across the country are struggling to keep up with the high cost of living, the agency charged with protecting workers is making it easier for employers to illegally refuse to hire or promote people because of their identities. This is yet another example of Chair Lucas prioritizing the Trump anti-civil rights agenda over the needs of workers. Getting rid of this data collection will make federal and state anti-discrimination enforcement less effective by making discrimination more difficult to identify and prove, and it will deprive employers, researchers, advocates, and the public of information that helps drive meaningful interventions.

Endnotes

- 1 See Rebecca Klar, *EEOC Plans to Cut Employer Data Reporting on Race, Gender*, BLOOMBERG (May 15, 2026), <https://news.bloomberglaw.com/daily-labor-report/eeoc-plans-to-eliminate-employer-data-reports-on-race-gender>.
- 2 Claire Savage, *Head of workplace rights agency urges white men to report discrimination*, AP NEWS (Dec. 19, 2025), <https://apnews.com/article/dei-white-men-discrimination-andrea-lucas-eeoc-2996e71763dd0fe4b7f377eb49036fbe>.
- 3 See, e.g., SEXUAL HARASSMENT IN OUR NATION'S WORKPLACES, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM'N (Apr. 2022), <https://www.eeoc.gov/sites/default/files/2022-04/Sexual%20Harassment%20Awareness%20Month%202022%20Data%20Highlight.pdf>; CTR. FOR AMERICAN PROGRESS, ENDING DISCRIMINATION AND HARASSMENT AT WORK (Mar. 14, 2024), <https://www.americanprogress.org/article/playbook-for-the-advancement-of-women-in-the-economy/ending-discrimination-and-harassment-at-work/>; Katherine Schaeffer, *Black workers' views and experiences in the U.S. labor force stand out in key ways*, PEW RESEARCH CTR. (Aug. 2023), <https://www.pewresearch.org/short-reads/2023/08/31/black-workers-views-and-experiences-in-the-us-labor-force-stand-out-in-key-ways/>.
- 4 HERITAGE FOUNDATION, PROJECT 2025 MANDATE FOR LEADERSHIP: THE CONSERVATIVE PROMISE at 615 (2023), https://static.project2025.org/2025_MandateForLeadership_FULL.pdf.
- 5 EEO Data Collections, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM'N, <https://www.eeoc.gov/data/eo-data-collections> (last visited May 14, 2026). In addition to the EEO-1 Component 1 Data Collection, the EEOC also conducts other workforce data collections, including the EEO-3 (local union report), EEO-4 (state and local government information report), and EEO-5 (elementary and secondary staff information report).
- 6 42 U.S.C. § 2000e-8(c).
- 7 29 CFR 1602.7-1602.14
- 8 See FY 2027 Agency Performance Plan (APP) and FY 2025 Agency Performance Report (APR), U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM'N (April 3, 2026), <https://www.eeoc.gov/fy-2027-agency-performance-plan-app-and-fy-2025-agency-performance-report-apr> ("The EEOC began Fiscal Year 2026 with a total of 1,809 (1,801 full-time and 8 part-time) employees, a decrease from 2,170 employees onboard at the beginning of Fiscal Year 2025.").
- 9 Fact Sheet: The EEOC and FEPA Data-Sharing, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM'N, <https://www.eeoc.gov/fact-sheet-eeoc-and-feпа-data-sharing> (last visited May 14, 2026).
- 10 See, e.g., California v. Dhillon, 3:20-cv-07664, Complaint at 60, 62 (filed Oct. 30, 2020), <https://oag.ca.gov/sites/default/files/CA%20v.%20Dhillon%20Complaint.pdf>.
- 11 See U.S. Equal Employment Opportunity Comm'n, Meeting of November 16, 2005 to Address Operations in Wake of Hurricane Katrina, Revisions to EEO-1 Report, Remarks of Commissioner Stuart J. Ishimaru, Opposing, <https://www.eeoc.gov/meetings/meeting-november-16-2005-address-operations-wake-hurricane-katrina-revisions-eeo-1-report/ishimaru>.
- 12 *Davis v. General Accident Ins. Co. of America*, 2000 WL 1780235 (E.D. Pa., Dec. 4, 2000)
- 13 EEO-1 (Employer Information Report) Statistics, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM'N, <https://www.eeoc.gov/data/eo-1-employer-information-report-statistics> (last visited May 27, 2026) (in 2023, there were 1,992, 619 male administrative support workers and 6,156,060 female administrative support workers; there were 805,057 male executive/senior level officials and managers, and 423, 713 female executive/senior level officials and managers).
- 14 EEO-1 (Employer Information Report) Statistics, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM'N, <https://www.eeoc.gov/data/eo-1-employer-information-report-statistics> (last visited May 27, 2026).