

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL WOMEN'S LAW CENTER, *et al.*,

Plaintiffs,

v.

OFFICE OF MANAGEMENT AND BUDGET,
et al.,

Defendants.

Civil Action No. 17-cv-2458 (TSC)

NOTICE

Pursuant to the Court's October 29, 2019 Order (ECF No. 91), enclosed is the report respectfully submitted by the United States Equal Employment Opportunity Commission ("EEOC").

Dated: November 1, 2019

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

JENNIFER D. RICKETTS
Branch Director

CARLOTTA WELLS
Assistant Branch Director

/s/Stuart J. Robinson
STUART J. ROBINSON
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
450 Golden Gate Ave.
San Francisco, CA 94102
Tel: (415) 436-6635
Fax: (415) 436-6632

Email: stuart.j.robinson@usdoj.gov
Cal. Bar No. 267183

Counsel for Defendants

**DEFENDANT EEOC'S REPORT OF STEPS TO
IMPLEMENT THE EEO-1 COMPONENT 2 DATA
COLLECTION: SUBMITTED NOVEMBER 1, 2019**

Activities Since September 30, 2019

Per instructions from the EEOC to NORC, the Component 2 EEO-1 Online Filing System has remained open and NORC has continued to accept Component 2 submissions from filers.

Additionally, the following outreach activities occurred on or after September 30, 2019 to continue to assist filers to complete their EEO-1 Component 2 data submissions. (1) NORC, on behalf of the EEOC, continued to staff the Component 2 HelpDesk for extended hours to address telephone and email inquiries from filers; (2) on October 21, 2019, the EEOC finalized plans internally to have NORC, on behalf of the EEOC, begin outreach via email to a subset of employers; and (3) on October 25, 2019, NORC, on behalf of the EEOC, contacted via email employers who had completed filing their 2017 and 2018 reports, but had not certified one or both years. The prompting email messages from NORC were tailored to the filing method (i.e., online form or upload file) and provided instruction on how to complete the certification.

On October 30, 2019, the EEOC updated its public website with a notice of the court's October 29, 2019 order requiring the EEOC to "take all steps necessary to complete the EEO-1 Component 2 data collection for calendar years 2017 and 2018 by January 31, 2020." The notice also stated that, until further notice, the data collection will remain open past November 11, 2019 and instructs that employers who have not yet filed should do so as soon as possible.

Additionally, on October 31, 2019, NORC, on behalf of the EEOC, updated the Component 2 EEO-1 Filing System website and Component 2 HelpDesk with the same information. On October 30, 2019, the EEOC notified NORC to prepare to continue data collection after November 11, 2019 per the Court's October 29, 2019 order. After issuance of the order and

through conversations with NORC about the funds currently remaining in the contract, the EEOC learned a modification was not needed this week and could be completed in the near future. EEOC and NORC are working to modify the contract to the extent necessary to comply with the Court's order, but to date no contract modification has been executed.

Also, the EEOC continues to receive a small number of requests from filers seeking exemptions from reporting pursuant to 29 C.F.R. § 1602.10. As the EEOC receives these requests, it is holding Commissioner votes on whether to grant the exemptions and informing the requesters of the results of the Commission's votes.

Activities Anticipated from November 1, 2019 – November 22, 2019

As directed by the Court's October 29, 2019 order, the Component 2 EEO-1 Online Filing System will remain open to accept Component 2 submissions from filers. The NORC HelpDesk will continue to provide technical assistance via email and telephone to filers. NORC, on behalf of the EEOC, will continue to target outreach to non-filers. The EEOC will finalize its contract modification with NORC.

Status of Response Rate

As of November 1, 2019, 82.4% of eligible filers have completed submission of Component 2 EEO-1 data. This includes 81.5% of filers submitting Component 2 data for calendar year 2017, and 83.3% of filers submitting Component 2 data for calendar year 2018.