



May 15, 2026

Abandoning the Collection of Employment Data Will Harm Employers and Workers

Thomas Jefferson believed that the strength of a democracy lies in the hands of its informed citizens – a principle grounded in access to reliable information.¹ Across sectors, responsible data collection and analysis provide an evidence-based foundation for decisionmaking to ensure fair practices. Yet today, the EEOC [announced](#) that it is seeking to rescind a source of data collection called the EEO-1 and related data forms.

In proposing to end the EEOC's surveys of workforce demographics, this Administration is abandoning a unique data set that gives the EEOC, employers, workers, and researchers a factual basis to better understand patterns of employment and to consider whether employers may be missing qualified talent due to potentially discriminatory barriers.

The fundamental promise of the federal employment discrimination laws is that employer decisions about hiring, promotion, pay, and other employment practices will treat qualified individuals fairly and without discrimination – and that there will be no unjustified barriers that harm individuals because of their demographic characteristics. After all, there is no reason to think that people will be less qualified based on their race, sex, or national origin. Good workers are good workers.

To support enforcement of the federal employment discrimination laws, Congress requires employers to keep records relevant to whether discriminatory practices occurred and to report data to the EEOC, as prescribed by EEOC regulation or order, subject to specified procedures.² Since 1966, the EEOC has carried out this congressional mandate by regulation requiring certain private and public employers to retain records and to report data on the representation of different demographic groups in broad job categories in their workforces.³

These data, along with other investigative tools, help the EEOC to identify patterns that may warrant further inquiry early in its investigation of discrimination charges, thus helping the agency to deploy its limited investigatory resources efficiently. These data also allow EEOC staff

¹ See Letter to Richard Price (1789), <https://www.loc.gov/exhibits/jefferson/60.html>.

² 42 U.S.C. § 2000e-8(c).

³ See, e.g., 29 C.F.R. Part 1602 [Subpart B](#) (Employer Information Report EEO-1); *id.* at [Subpart F](#) (Local Union Report EEO-3); *id.* at [Subpart I](#) (State and Local Government Information Report EEO-4); and *id.* at [Subpart L](#) (Elementary-Secondary Staff Information Report EEO-5).

to gain insight into general staffing patterns by industry or geographical region (e.g., states, standard metropolitan statistical areas), and can shed light on a particular investigation. In a 2022 study of EEO-1 data, the National Academies of Science found that “EEO data have an important and unique role in [EEOC’s] initial investigations.”⁴

Historically, the EEOC has analyzed EEO-1 data to focus the agency’s outreach and guidance on industries where empirical evidence suggests that barriers may exist. The loss of this data will make it more difficult for the EEOC to conduct targeted, evidence-based educational outreach in the future.

The collection and reporting of this data also benefits employers, who can use it to understand the composition of their workforce and their employment patterns over time, and to support their preparation of required state-level workforce reports. In addition, because the EEOC has publicly released [aggregated data](#) from the EEO-1 reports, employers can learn about broader employment trends in their industry. Such analysis may assist employers in examining whether they are missing qualified talent due to potentially discriminatory barriers.

Finally, academic researchers have analyzed aggregate data to study and report on employment trends, benefitting the public by providing a picture of demographic representation in hiring and promotions across industries and job categories, across regions, and across time.

This Administration purports to justify its efforts to roll back employment-related data collection and analysis by claiming that these activities lead employers to engage in quota or race-based hiring. But this is simply inaccurate and unsupported speculation, at odds with the ways in which this data is actually collected, managed, and used.

First, the EEOC has [instructed employers](#) to keep collected demographic data separate from other personnel information, and to ensure that the individualized data collected about applicants is not provided to those making the employment decisions. This is standard practice in U.S. workplaces.

Second, employers use aggregate data to prevent discrimination in the design of employment systems or to identify circumstances where practices may create potential liability under the equal employment opportunity laws, not as a means to violate those obligations by inappropriately basing individual employment decisions on race, sex, national origin, or other demographic characteristics. Where data identifies potential discrimination or barriers to employment, moreover, solutions must be targeted to address the identified barriers while providing equal opportunity for all. These strategies can include, for example, revising existing

⁴ National Academies of Sciences, Engineering, and Medicine. 2023. Evaluation of Compensation Data Collected Through the EEO-1 Form. Washington, DC: The National Academies Press. <https://doi.org/10.17226/26581>.

employment practices to ensure they are job-related and removing unjustified selection standards; establishing new pay setting criteria that better value employee contributions; or engaging in broader-based recruitment strategies.

Data provides a uniquely effective means to enhance compliance with the law, not a trigger to violate it.⁵ Incorrectly contending that responsible data use is suspect risks discouraging the very tools employers depend on to ensure fair systems and prevent discrimination. Rather than stepping back from responsible, evidence-based analysis, employers should continue using data thoughtfully to assess risk, strengthen decision-making, and advance fair, job-related employment practices.

⁵ Indeed, in an apparent acknowledgement of the importance of data, the Administration has proposed [increasing data collection](#) in the educational sector to better assess compliance with the Supreme Court's [ruling](#) on the legal standards governing the use of race in college admissions.