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What end of EEOC sex, race data collection could mean for Ga. workers, employers

The agency tasked with fighting discrimination now argues workforce demographic data collection is potentially unlawful. Critics say the move puts the U.S. back into the dark.



Job seekers attend a job fair at Goodwill Career Center in Atlanta on Tuesday, Jan. 13, 2026. (Natrice Miller/AJC)

By Mirtha Donastorg

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In 2024, white men made up a little more than half of Delta Air Lines' executives, senior-level officials and managers. For Home Depot, that share was higher, at about 58%. At Coca-Cola, it was 38%.

But the federal agency that has required companies to collect and report demographic workforce data since 1966 is now working to end that practice, a move some critics say would be a huge blow to civil rights enforcement.

The Equal Employment Opportunity Commission, the agency tasked with preventing unlawful employment discrimination, is pushing forward a proposed rule to rescind a decades-long requirement that large companies and other organizations submit annual workforce demographic data. Companies can then choose whether or not they make those forms public.

The data typically cover more than 50 million employees and 73,000 employers nationwide, according to [The Associated Press](#).

The proposed rescission is part of a series of moves by the Trump administration to roll back civil rights provisions, including efforts to [cut a federal minority contracting program](#), [weakening a disability rights law](#), [rescinding an executive order](#) that prohibited discrimination in hiring and trying to target diversity and inclusion efforts in the federal government.

Under Trump, the EEOC is now arguing the demographic data reports are potentially unconstitutional. The collection costs employers and the EEOC hundreds of millions of dollars annually, and doing away with it would be more cost-effective, the agency has said.

Eliminating the data collection was also proposed in the Heritage Foundation's Project 2025 report, which outlined ways to shrink the federal government, during the last presidential election.

"Collecting such data about employees' race and sex — absent any specific allegation of discrimination — not only risks hindering effective enforcement of equal employment laws but also raises constitutional concerns," Andrea Lucas, the Trump-appointed EEOC chair, [said in a press release](#) when her agency first put forth the proposed rescission in late July.

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Seher Khawaja, the national economic justice director for Equal Rights Advocates, called the agency's arguments "both absurd and damaging."

"The EEOC, when it created this data collection, recognized a very simple yet important reality — we cannot fix what we cannot see," Khawaja told The Atlanta Journal-Constitution. Her civil rights organization focuses on advancing the rights of women and girls across the nation.

"Rescinding the data collection would bring us back into the dark. It would eliminate one of the federal government's most important transparency and accountability tools to identify workplace disparities, segregation and inequities," she said.

The EEOC did not respond to a request for comment on the pushback it has received since proposing the rescission.

The rule dates back to the Civil Rights Act of 1964. Data collection began two years later, requiring companies with at least 100 employees, as well as some federal contractors and other types of organizations, to report to the EEOC workforce demographics by gender, race or ethnicity, and broken down by job category.

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The EEO-1 form that companies like Delta, Home Depot and Coke have to fill out lists 10 job categories ranging from “Executive/Senior Level Officials and Managers” to “Service Workers.”

Employers then detail the number of male and female workers in each category, as well as their race or ethnicity, breaking it down by Hispanic or Latino, White, Black or African American, Asian, Native Hawaiian or Other Pacific Islander, American Indian or Alaska Native and two or more races.

“If we want Georgia to be truly the best state for workers, we also need to get clear on who is benefiting from our economy and who is still being left behind,” Jasmine Bowles, Georgia executive state director for economic justice organization 9to5 GA, said in a statement to the AJC.

“(W)e urge federal leaders to protect data transparency and stand up for worker protections that ensure every Georgian can thrive with dignity. We can’t fix disparities we refuse to measure,” Bowles wrote.

Title VII of the Civil Rights Act has workforce demographic record-keeping requirements, even if the data are not submitted to the EEOC, so the proposed change may “create a lot of confusion and uncertainty for employers,” Khawaja added.

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“It actually puts them in a very precarious place in terms of what their compliance obligations are under Title VII, and that’s before even taking into account that states and localities are also really stepping up to fill in these gaps,” she said.

More than 2,000 public comments about the change have been left on the [EEOC’s notice of proposed rulemaking](#). The comment period is open until 11:59 p.m. ET on Monday, and people can comment on it through regulations.gov. Multiple organizations have asked the EEOC to extend the deadline by at least 30 days.

The EEOC did not respond when asked whether the agency will issue an extension.

Delta and Home Depot declined to comment on the proposed change. Coke provided its data and said it is monitoring for potential changes but will comply as needed.

Khawaja said that even if the rescission takes effect, the Civil Rights Act is still intact and worker protections against job discrimination remain the same, though it may just be harder for employees to assert their rights.

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