



The Colorado Health Foundation™

August 21, 2026

Raymond Windmiller
Executive Officer, Executive Secretariat
U.S. Equal Employment Opportunity Commission
131 M Street NE
Washington, DC 20507

Submitted electronically via [Regulations.gov](https://www.regulations.gov)

RE: Public Comment on Proposed Rule RIN 3046-AB37, Removal of Reporting Requirements, Rescission of EEO-1, EEO2, EEO-3, EEO-4, EEO-5, and Reporting Requirements Under Title VII, the ADA, GINA, and the PWFA

Dear Mr. Windmiller,

Thank you for the opportunity to provide comments on the Equal Employment Opportunity Commission's (EEOC) proposed rule to rescind the EEO-1 through EEO-6 workforce demographic reporting requirements and associated recordkeeping provisions. The Colorado Health Foundation ("CHF" or "the Foundation") is a statewide, nonprofit and nonpartisan philanthropic organization with a mission to improve the health and well-being of Coloradans. Through community engagement, research, grantmaking, and private sector investments, the Foundation works to ensure that everyone in Colorado has what they need to be healthy.

The Foundation writes to express our concern about the proposed rescission of the EEOC's longstanding workforce demographic reporting framework. We recognize the Commission's interest in evaluating existing reporting requirements and reducing unnecessary administrative burden where appropriate. However, we are concerned that eliminating these reporting requirements would significantly reduce the transparency and availability of workforce demographic data that has long informed employers, policymakers, researchers, and the public. We respectfully urge the Commission to withdraw the proposed rule and retain the existing workforce demographic reporting framework while engaging with employers, workers, researchers, states, and other stakeholders to identify opportunities to modernize and improve the reporting requirements.

As outlined below, the Foundation is concerned that:

- The proposed rule would substantially reduce the transparency and availability of workforce demographic data that supports evidence-based policymaking, research, and accountability.
- Eliminating the national reporting framework would make it more difficult to identify systemic workforce trends and inform equal employment opportunity efforts, even as the EEOC retains authority to investigate individual complaints.

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- Rescinding the federal reporting framework may increase, not reduce, administrative complexity by contributing to a patchwork of differing state reporting requirements, including Colorado's recently enacted HB 26-1207.
- The Commission should consider targeted modernization of the reporting framework as an alternative to complete rescission.

For nearly sixty years, the EEO reporting framework has [provided](#) one of the nation's longest-running standardized sources describing workforce demographics across industries and occupations. These data have [supported](#) not only the EEOC's enforcement responsibilities, but also employers seeking to benchmark their workforces, researchers studying labor market trends, state and local governments evaluating workforce needs, and policymakers seeking to better understand changes in employment patterns over time.

Transparency is itself an important public value. Reliable workforce demographic information allows employers, researchers, policymakers, and the public to measure progress, identify emerging trends, and better understand where barriers to opportunity may exist. Eliminating routine reporting would significantly reduce the availability of one of the nation's few standardized sources of workforce demographic information without creating an equivalent alternative. Several participants during the Commission's August public [hearing](#) on the proposed rule similarly observed that workforce demographic reporting serves important purposes beyond individual enforcement actions, including supporting employer self-assessment, benchmarking, academic research, and evidence-based policymaking. Multiple commenters suggested that, if improvements to the current system are warranted, the reporting framework should be modernized rather than rescinded.

The proposed rule notes that the Commission would retain its authority to request employer records during investigations of individual discrimination charges. While this authority remains an important enforcement tool, investigations initiated after a complaint has been filed serve a fundamentally different purpose than routine collection of aggregate workforce data. Several participants during the public hearing emphasized that demographic reporting helps identify broader workforce patterns that may not be apparent from individual complaints alone and enables the Commission to more effectively prioritize limited enforcement resources. Likewise, employers have historically relied on EEO reporting to benchmark their workforces and identify potential issues before they become the subject of litigation or enforcement activity. Eliminating routine reporting would reduce the availability of this proactive compliance tool while placing greater reliance on complaint-driven enforcement.

Employment is one of the most important social determinants of health. Access to quality jobs, opportunities for advancement, fair compensation, and equal treatment in the workplace [directly](#) influence economic security, housing stability, access to health care, and long-term health outcomes. The Foundation has consistently [supported](#) the use of reliable data to identify structural barriers that contribute to inequitable health outcomes. Workforce demographic information provides valuable

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insight into whether all communities have equitable access to employment opportunities and economic mobility. These data also support research examining workforce shortages, occupational mobility, and representation across sectors that are essential to Colorado's health care system and broader economy. Without a consistent national reporting framework, these analyses will become more difficult and less reliable.

The Commission states that rescinding the reporting requirements will reduce compliance costs for employers. However, eliminating the federal reporting framework may instead contribute to an increasingly fragmented regulatory environment. Colorado recently enacted [HB 26-1207](#), which requires certain employers with 100 or more employees to submit workforce demographic information to the Colorado Secretary of State beginning in 2027. Importantly, the statute requires employers to continue reporting even if the federal EEO-1 reporting requirement is eliminated and directs employers to use the EEO-1 reporting format that existed on March 1, 2026.

Colorado's enactment of an EEO-1-style state reporting requirement demonstrates that rescission may not eliminate reporting obligations for covered employers. As federal reporting requirements are withdrawn, additional states may adopt their own reporting frameworks to meet state policy objectives. Over time, this could result in a patchwork of differing reporting thresholds, timelines, definitions, and data formats across jurisdictions. For employers operating in multiple states, complying with numerous state-specific reporting systems may ultimately prove more burdensome than maintaining a single, standardized national reporting framework.

Throughout the Commission's public hearing, stakeholders representing employers, researchers, and worker advocacy organizations expressed support for improving or modernizing the EEO reporting framework while opposing its complete elimination. Suggested reforms included simplifying reporting categories, modernizing submission processes, reviewing existing data elements, and establishing clearer standards for how demographic information is collected and used. As detailed in the proposed rule, the Commission has previously modernized EEO reporting through targeted revisions rather than complete elimination. For example, it revised the preferred approach to race identification, added a multiracial reporting category, and refined management-job categories. These precedents demonstrate that the Commission can reduce burden and refine data practices through narrower reforms without eliminating the foundational reporting dataset.

The Foundation believes these alternatives warrant careful consideration. Modernization could reduce administrative burden while preserving a valuable national source of workforce information relied upon by employers, researchers, states, and policymakers. Eliminating the reporting framework altogether risks sacrificing decades of comparable workforce data and reducing transparency without achieving the Commission's stated objective of improving efficiency. The Colorado Health Foundation appreciates the Commission's efforts to review its regulatory framework and improve administrative efficiency. However, we believe the proposed rescission would significantly reduce the availability of workforce

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demographic information that supports transparency, accountability, research, and evidence-based policymaking.

We respectfully urge the Commission to withdraw the proposed rule and maintain the existing workforce demographic reporting requirements while engaging with stakeholders on opportunities to modernize and improve the reporting framework. A collaborative approach can identify targeted reforms that reduce administrative burden, improve the quality and utility of the data collected, and preserve the transparency and national workforce information necessary to understand workforce trends, support equal employment opportunity, and inform public policy.

The Foundation appreciates your consideration of our comments. If you have any questions, please contact Erin Brown, chief impact officer with The Colorado Health Foundation, at ebrown@coloradohealth.org.

Sincerely,



Erin Brown
Chief Impact Officer
The Colorado Health Foundation