

One Minute Memo[®]



Census Bureau Releases Latest Equal Employment Opportunity Tabulation Based On The American Community Survey For 2006-2010

On November 29, 2012, the United States Census Bureau released the 2006-2010 American Community Survey Equal Employment Opportunity ("EEO 2006-2010 ACS Tabulation" or "EEO Tabulation"). The Census Bureau has produced the EEO Tabulation after every decennial census since the 1970s. For the first time, however, EEO Tabulation uses estimates from the American Community Survey ("ACS") 2006-2010 five-year data. The EEO Tabulation is available through American FactFinder (click [here](#)).

The move to using ACS estimates for the new EEO Tabulation is significant. According to the Census Bureau, the change will provide a "dynamic and timelier" moving picture of the characteristics in local geographies. That is because the ACS is based on a cumulative, rolling sample derived from annual surveys of approximately 3.5 million households over a period of 5 years. Historically, the EEO Tabulation provided a snapshot of the civilian workforce based on the decennial census data, which collects data on a specific date.

The EEO 2006-2010 ACS Tabulation contains detailed demographic information, including race, ethnicity, and sex, about the US civilian labor workforce. The number of occupations detailed in the EEO Tabulation has been reduced from 539 to 488, based on the *2010 Standard Occupational Classification* and provides data on numerous other factors such as earnings, education, age by residence, worksite and commuting flows. Also, for the first time, the Tabulation includes new tables on citizenship and unemployment status, as well as the inclusion of civilian workers in Puerto Rico.

The Tabulation is used by various federal agencies responsible for monitoring employment practices, including the Equal Employment Opportunity Commission and the Office of Federal Contract Compliance Programs ("OFCCP"). Federal contractors and subcontractors use the EEO Tabulation to prepare and update their Affirmative Action Plans ("AAPs"). Specifically, the EEO Tabulation provides an external benchmark for employers to compare the racial, ethnic, and sex composition of their workforce to the available labor market as a measurement of compliance with EEO and affirmative action laws. Contractors have been using the 2000 EEO Special Tabulation, which was based on census data from 2000.

The Census Bureau also announced that it will release a Disability Employment Tabulation in the Spring of 2013, which will provide detailed occupational statistics by race, ethnicity, sex, and disability in the labor force for local areas using ACS data from 2008-2010. That information will likely be used by the OFCCP in connection with their proposed disability regulations. The EEO 2006-2010 ACS Tabulation released yesterday does not include information on detailed occupations and industry groups for non-citizens, place flows, and unemployment status by counties. The Census Bureau plans to release that information on December 13, 2012. The entire EEO 2006-2010 ACS Tabulation file will be available for download from the FTP site by the end of December.

What This Means for Contractors

The OFCCP has not announced when contractors should begin using the new EEO Tabulation to prepare and update their AAPs. However, because smaller occupation codes have been grouped together to reduce the number of occupations from 539 to 488, contractors will have to carefully review previously assigned occupation codes and make necessary changes and adjustments. Contractors should use the workforce data from the EEO 2006-2010 ACS Tabulation to compare the racial, ethnic, and sex composition of their workforce to the available labor market. We can assist you with the transition in the preparation of your AAPs. We will keep you updated on developments as they occur and will provide in-depth analysis of the Disability Employment Tabulation when it is released.

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