

NEW AND EXPANDED PAY DATA REPORTING OBLIGATIONS FOR EMPLOYERS WITH EMPLOYEES IN CALIFORNIA

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California's recently enacted pay transparency law (Senate Bill 1162) expands pay data reporting processes and requirements for California employers. The reporting requirements apply to all private employers with over 100 employees (and at least one in California). New this year, the reporting requirement also applies to private employers that had 100 or more employees employed through labor contractors during the reporting year.

This year's reporting obligations differ from last year in the following additional ways:

- Previously, the reporting requirement only applied to employers that file a federal Employer Information (EEO-1) report. This year, employers must submit a report to the California Civil Rights Department (CRD) regardless of whether they file an EEO-1 report.
- In addition, unlike previous years, an employer can no longer submit its EEO-1 report to satisfy the CRD's reporting requirement.
- The annual pay data reports must include the pay, pay band, and hours worked for each employee working in California.
- Also new this year, the report must include the mean and median hourly rate of employees by establishment, job category, race/ethnicity, and sex.

The California pay data reporting deadline for the 2022 reporting year is May 10, 2023. The CRD has published a helpful FAQ which can be found here:

<https://calcivilrights.ca.gov/paydatareporting/faqs/>

BCLP is monitoring the latest guidance on these new requirements. Please contact your BCLP attorney with questions about compliance.

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