

LEGAL UPDATE

California Opens Portal for Annual Workforce Pay and Hour Reports

Employers that have employees in California may now begin filing workforce pay and hour reports as required under a [new law](#) that was enacted in late 2020, the state [announced](#) on Feb. 16, 2021.

Under the new law, employers must file the reports if they:

- Have 100 or more employees, at least one of whom works in California; and
- Are required to file the [federal Employer Information Report \(EEO-1\)](#) with the U.S. Equal Employment Opportunity Commission (EEOC).

The state-mandated reports must be filed with the [California Department of Fair Employment and Housing \(DFEH\)](#) **by March 31 every year**. The deadline for an employer's initial report is **March 31, 2021**.

Required Information

The new report requires the same information that was collected in the "EEO-1 Component 2" before that portion of the EEO-1 was rescinded in 2019. This information generally includes:

- The number of employees by race, ethnicity and sex in specified job categories during a single pay period;
- The number of employees by race, ethnicity and sex whose annual earnings fell within certain pay bands; and
- The total hours worked by each of the employees.

Enforcement

If an employer fails to file an annual report as required, the DFEH may seek a court order requiring the employer to comply and to pay all costs associated with obtaining the order.

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Important Dates

March 31, 2021

Deadline for certain California employers to file data about their employees' pay and work hours from 2020 with the state.

March 31, 2022

Deadline for state-mandated reports on 2021 information. Employers subject to the new law must file reports by March 31 every year.

California employers with 100 or more employees may begin filing 2020 pay and hour data, as required by a new state law.



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