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California sets April 1 deadline for pay data reporting

California employers with 100 or more employees must report pay and hours-worked data by establishment, job category, pay band, sex, race, and ethnicity to the state's Department of Fair Employment and Housing annually. The 2021 pay data reports are due April 1.

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Background

On September 30, 2020, California enacted legislation that required private employers of 100 or more employees (with at least one employee in California) to submit certain pay and other data to the state's Department of Fair Employment and Housing (DFEH) on an annual basis beginning in 2021. It required covered employers to report pay and hours-worked data by establishment, job category, pay band, sex, race, and ethnicity (collectively "pay data") by March 31, 2021, and by March 31 each year thereafter. (See our [March 4, 2021 FYI](#).)

Filing deadline for 2021 reports

The DFEH recently [announced](#) on its pay data reporting landing page that the filing deadline for the 2021 pay data reporting year is April 1, 2022. This differs from last year's inaugural filing deadline of March 31.

New resources available

The DFEH web page also provides a link to a new version of the [Pay Reporting Portal](#) through which employers must submit their data to DFEH, along with a [user guide](#), an Excel template that may be used for data submission, and an example of a comma-separated value (.csv) submission. In addition, DFEH has posted answers to frequently asked questions ([FAQs](#)) updated for the 2021 reporting year.

How to file

Covered employers must file their pay data reports via the portal. The DFEH will not accept reports by email or hard copy. To file, an employer must register in the portal and then create their pay data report by one of the following three methods:

- Upload an Excel file using the DFEH's template, following the instructions in the template and the user guide to the portal (DFEH's suggested method);
- Upload a .csv file using the instructions in the user guide to the portal; or
- Use the portal's fillable forms.

The DFEH has updated the pay bands that employers must use in this reporting cycle to reflect the most recent pay bands established by the Bureau of Labor Statistics.

Buck comment. The 2021 EEO-1 Component 1 data collection is tentatively scheduled to open on April 12, with a tentative filing deadline of May 17. Updates regarding the 2021 data collection will be posted on the EEOC's EEO-1 [website](#), as they become available.

In closing

Private employers of 100 or more employees (with at least one employee in California) should begin preparing their annual pay data submission to the DFEH. The reporting deadline is April 1.

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