



California Pay Data Reports due May 8, 2024

Attention employers with 100+ employees: You have less than two months to report last year's pay data to the state's Civil Rights Department, and you need a plan of action in order to comply with this stringent law. Here's your three-step action plan for compliance:

Step 1: Determine whether you need to file a Payroll Employee report or a Labor Contractor Employee report, even if you are based outside of California.

In addition to the Payroll Employee Report, a private employer with 100 or more workers hired through labor contractors (such as temp agencies) in the prior calendar year (with at least one worker based in California) must file a separate Labor Contractor Employee Report that covers workers hired through labor contractors in the prior calendar year. A Labor Contractor is an individual or entity that supplies, either with or without a contract, a client employer with workers to perform labor within the client employer's usual course of business.

You should first review whether you will need to file a pay data report this year, either for payroll employees or labor contractors. Employers who did not file an Employee Payroll report last year based on having fewer than 100 employees should review whether your headcount has changed, necessitating a report to be filed this year. In addition, review whether you have used 100 or more labor contractor employees (and at least one California employee), which would necessitate filing a Labor Contractor Employee report.

Employers based outside of California with 100 or more employees who have even 1 employee in California are required to file a pay data report.

Step 2: Identify your labor contractors and request the required labor contractor pay data report information.

You should identify your labor contractors now and send out written communications soon to request the information needed to complete the Labor Contractor Employee report. While labor contractors are required to comply with these requests – and there are penalties for not doing so – the obligation to file the report falls on the employer using the labor contractors. Ensure your written request for information from labor contractors is sent out as soon as possible to allow them to timely gather the information, especially without the possibility of responding "unknown" for demographic information.

Step 3: Prepare a plan for submitting your pay data report(s) before the May 8 deadline.

Designate the individual or team of individuals who will have responsibility for ensuring all information is gathered for the Payroll Employee and Labor Contractor Employee reports and file the reports by the May 8 deadline. You should get started on this early to ensure compliance and get any questions about the new requirements answered well before the deadline.

Conclusion

The Pay Data Reporting Portal is now open for employers to begin early submissions and the Civil Rights Department (who receives the reports) has created a comprehensive collection of documents to assist employers with preparing their reports. From a User Guide and FAQs to training slides, employers should review this information to ensure accurate completion of the reports. The website where the Portal and additional informational documents are located is

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

About SHRM of Tulare Kings County-

SHRM of Tulare/Kings County was initially developed more than two decades ago under the name of Tulare-Kings Personnel Association. The association was formed to serve the professional, educational and networking needs of Human Resource Professionals in the Tulare and Kings County areas. In the early 2000's the association decided a name change was in order and became SHRM of Tulare/Kings County. The purpose of the Chapter is to provide:

- A local forum for Human Resource Professional's personal and professional development
- Opportunities for members to develop leadership, managerial, public speaking and group decision making skills
- A local networking arena for Human Resource and affiliated Business Professionals
- A focus for legislative attention regarding local, state and national human resource management issues

For more information on monthly meetings and membership, please visit our website at:

www.shrmtularekings.org