



Civil Rights  
Department  
STATE OF CALIFORNIA

Education and Outreach

# Pay Data Reporting: Reporting Year 2022 (Reports due May 10, 2023)

Version: 1.0 (February 2023)

# Important Notice

This presentation is for informational purposes only, does not establish substantive policy or rights, and does not constitute legal advice.

This presentation provides an overview of the California pay data reporting program. It will generally assist anyone who wishes to become acquainted with this program. However, this presentation does not cover all topics and is not a substitute for the instructions and guidance provided in the portal, user guide, templates, and FAQs available at: <https://civildrights.ca.gov/paydatareporting/>

If there is any inconsistency between this presentation and CRD's other pay data reporting resources (portal, user guide, templates, or FAQs), such other resource controls over this presentation.

# Presentation Overview

1. Introduction to the Civil Rights Department (focus on employment protections)
2. Introduction to pay data reporting
3. Basic steps for a Payroll Employee Report
4. Basic steps for a Labor Contractor Employee Report
5. Issues common to both Payroll Employee Reports and Labor Contractor Employee Reports
6. Pay data reporting URLs



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# 1. Introduction to the Civil Rights Department (focus on employment protections)



## California's Civil Rights Agency

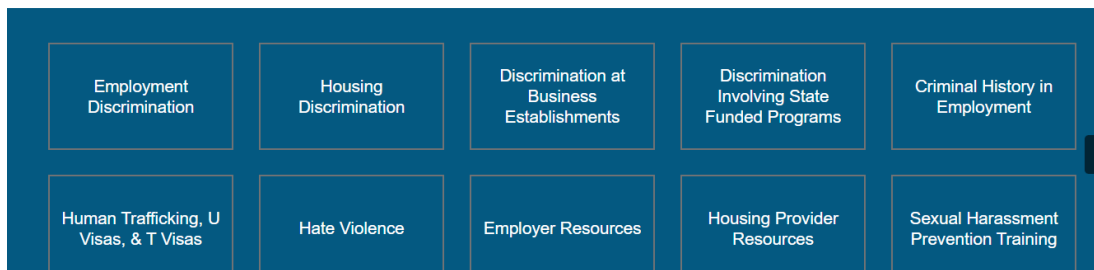
The Department of Fair Employment and Housing is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing, businesses, and state-funded programs, and from bias-motivated violence and human trafficking.

## Mission

The mission of the Civil Rights Department (CRD) is to protect Californians from discrimination, harassment, and violence based on protected characteristics.

## Vision

Our vision is a California free of discrimination.



## Laws Enforced by CRD (1 of 2)

- Fair Employment and Housing Act (Government Code § 12900 et seq.)
  - Discrimination, harassment, and retaliation
  - Reasonable accommodations
  - Protected leave (family, medical, pregnancy disability, and bereavement)
  - Criminal history
  - Pay data reporting
- Equal Pay Act (Labor Code § 1197.5) (equal pay for substantially similar work)
- Civil Code § 51.9 (sexual harassment in professional relationships, such as doctor-patient or attorney-client)

## Laws Enforced by CRD (2 of 2)

- Unruh Civil Rights Act (Civil Code § 51) (businesses and public accommodations)
- Ralph Civil Rights Act (Civil Code § 51.7) (hate violence)
- Government Code § 11135 (state-funded programs and activities)
- Disabled Persons Act (Civil Code § 54 et seq.)
- Trafficking Victims Protection Act (Civil Code § 52.5)

# Fair Employment and Housing Act – What are the protected characteristics in employment?

- Race (including hair texture and style)
- Color
- Ancestry
- National Origin
- Religion
- Age (40 and over)
- Disability (mental and/or physical)
- Sex
- Gender
- Sexual Orientation
- Gender Identity
- Gender Expression
- Medical Condition
- Genetic Information
- Marital Status
- Military and Veteran Status
- Reproductive Health Decision Making



# Fair Employment and Housing Act – Which employers must comply?

- Public employers
- Private employers
  - Anti-discrimination and leave provisions apply to private employers of 5 or more employees
  - Anti-harassment provisions apply to private employers of 1 or more employees
- Labor organizations
- Employment agencies

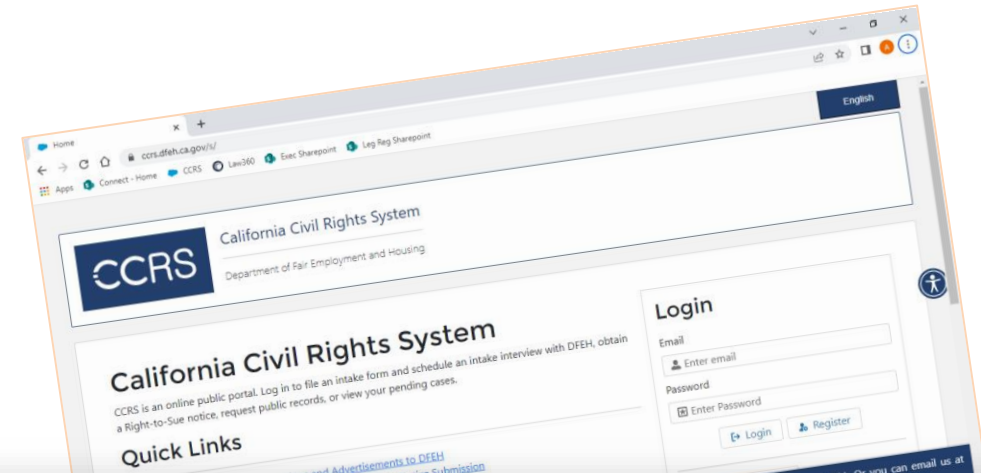
# Civil Rights Department Strategy

CRD engages proactive and complementary strategies that center people and communities:

- Enforcement
- Dispute resolution
- Outreach, training, and rulemaking
- Research and reporting

## Enforcement

- Complaint investigation
- Agency-initiated charges
- Audit Testing
- Web scraping
- Impact litigation



### ***Riot Games to Pay \$100 Million in Gender Discrimination Case***

The company was originally set to pay its female employees \$10 million until California fought successfully for more money.

**Settlement reached in lawsuit alleging El Cajon gym refused transgender woman's right to use women's locker room, restroom**

# Dispute Resolution

- Mediation
- Conciliation
- Community conciliation



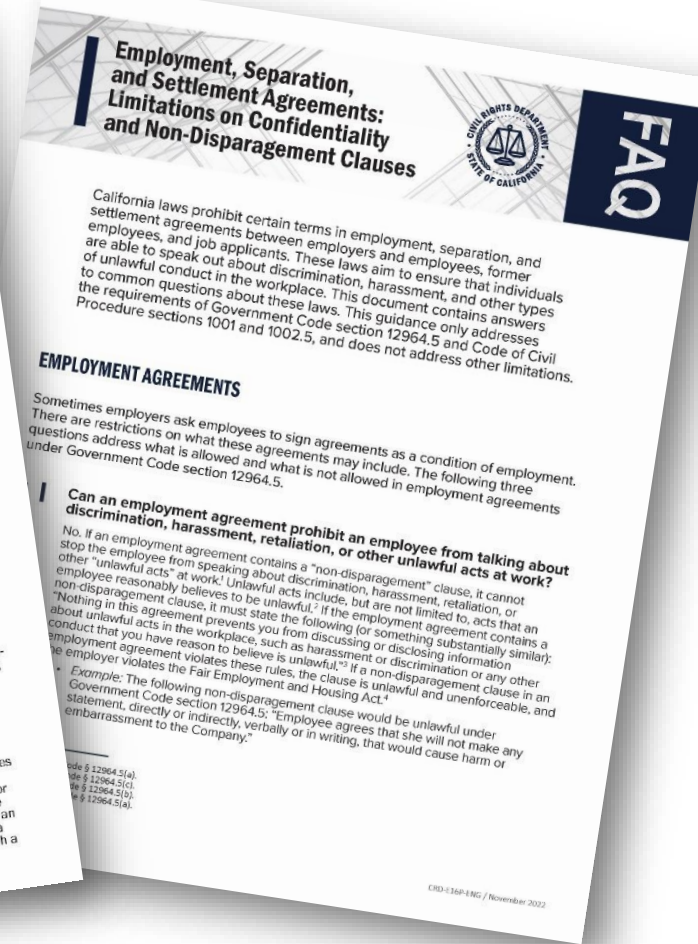
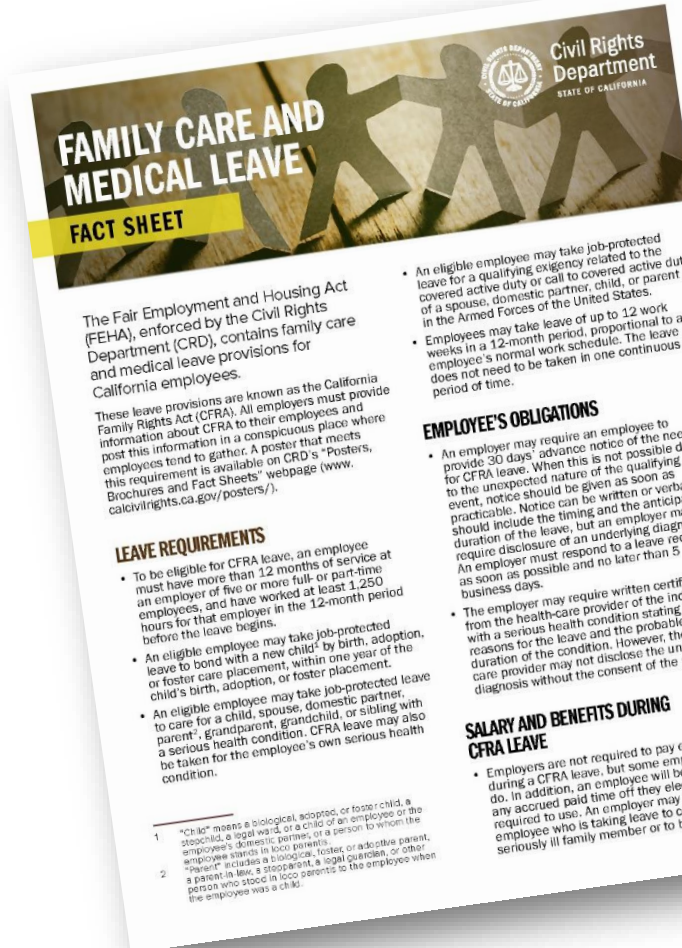
US & WORLD // CALIFORNIA  
California EDD improves language access for non-English speakers

Farmworker paid \$500,000 by labor contractor in settlement over sexual assault allegations.



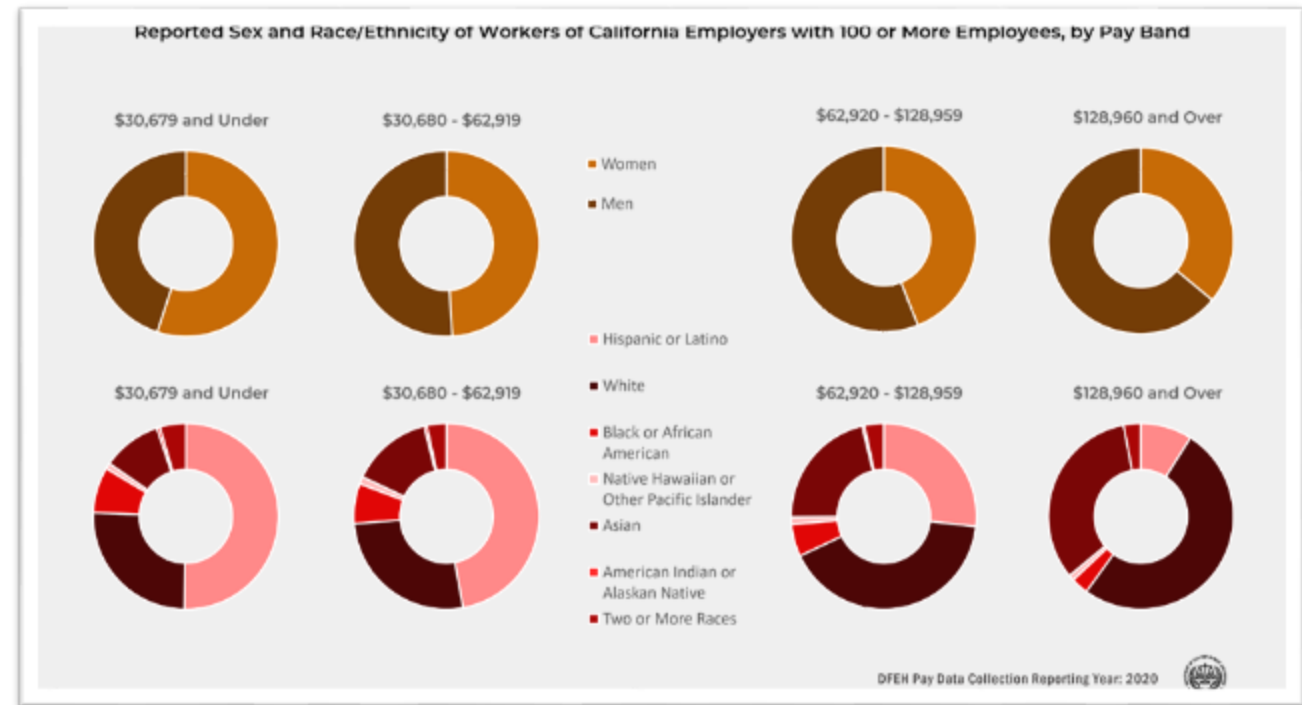
# Outreach, Training, and Regulations

- Regulations and policy guidance
- Direct outreach and feedback
- Trainings and interactive tools
- Inter-agency collaborations
- Civil rights hearings
- Multi-media campaigns



# Research and Reporting

- Pay data collection
- California Health Interview Survey
- CA vs. Hate Resource Line and Network
- Commission on the State of Hate





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## 2. Introduction to pay data reporting

# Pay Data Reporting: Legislative timeline

- Senate Bill 973 (2020)
  - Government Code § 12999
  - 2020 reporting year (collected by CRD in 2021)
  - 2021 reporting year (collected by CRD in 2022)
- Senate Bill 1162 (2022)
  - 2022 reporting year (being collected by CRD in 2023)
  - February 1, 2023 – May 10, 2023



# Pay Data Reporting: What's the point?

In 2020 (SB 973), the California Legislature enacted this program to help reduce the pay disparities facing women, certain racial/ethnic groups, and especially women of color.

- Provides an opportunity for employers to annually review their pay practices to ensure that they are consistent with California's equal pay and anti-discrimination laws
- Provides valuable information to CRD for its investigations, enforcement actions, and other efforts

# Pay Data Reporting: Senate Bill 1162

In 2022 (SB 1162), the Legislature enhanced the program in several respects, including:

- Added additional types of employers. Now applies to all private employers with 100 or more payroll employees and/or 100 or more workers hired through labor contractors, regardless of whether the employer has a federal reporting obligation
- Added requirement of reporting on workers hired through labor contractors
- Added data elements: mean and median hourly rates
- Added civil penalty against non-filers
- Changed filing deadline to the second Wednesday of May
- Additional guidance in the FAQs (Part I)

## Pay Data Reporting: Publication of data

- An individual employer's pay data report is neither publicly available nor subject to the Public Records Act, but may be used in a CRD enforcement action
- CRD publishes aggregate results:
  - <https://civildrights.ca.gov/paydatareporting/results/>
  - Statewide visualizations
  - State, regional, and industry tables
  - 2021 results expected to be published in 2023

## Pay Data Reporting: Data retention and security

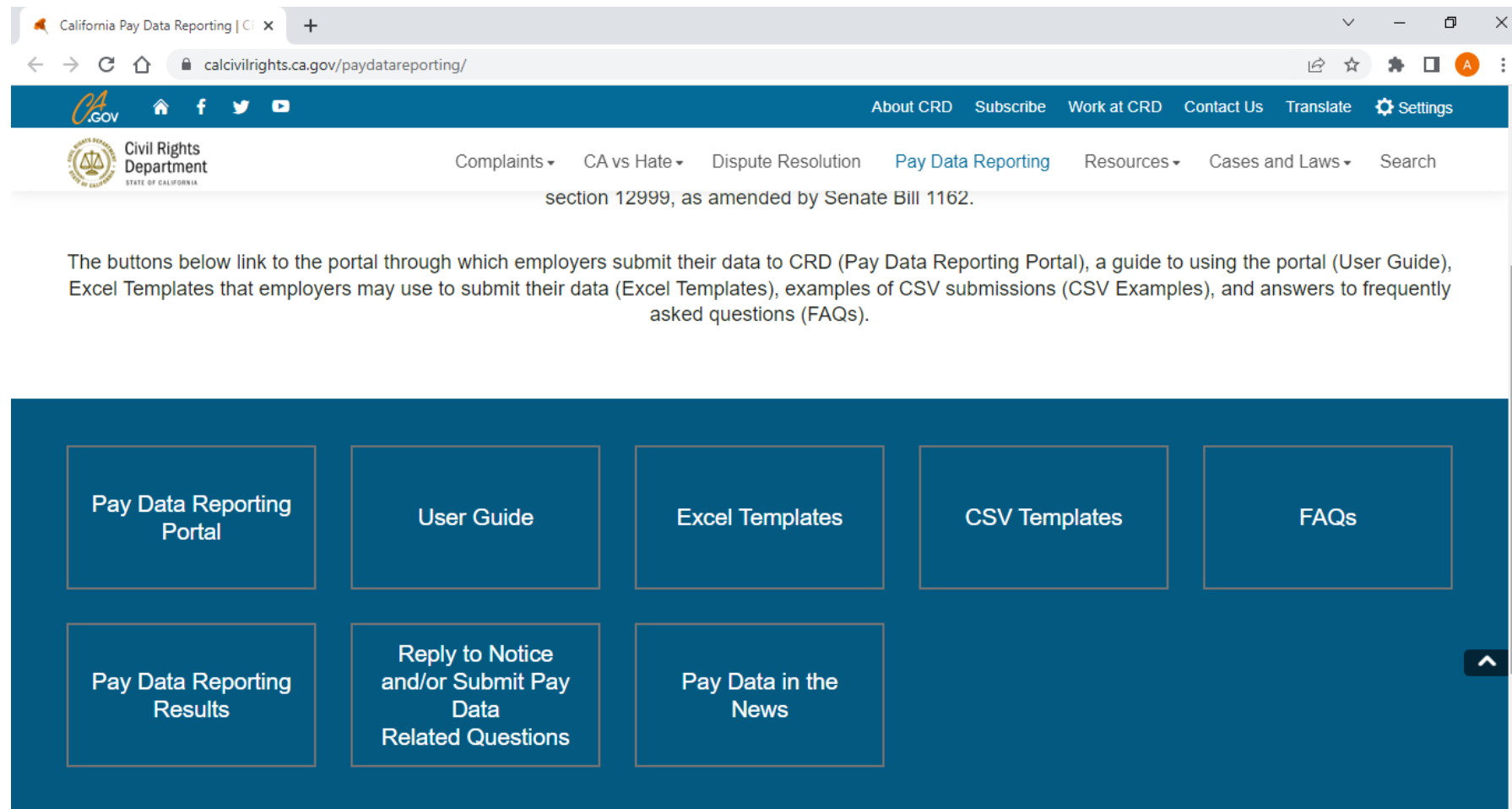
- CRD is required by statute to retain pay data reports for at least 10 years
- End-to-end encryption for transmission and storage of all employer-submitted data.
- System housed in a secure government cloud environment that meets FedRAMP and NIST Federal and State requirements for data protection

# Pay Data Reporting: Filing deadline and procedure

- Annual deadline: Second Wednesday of May
  - For 2022 reporting year: May 10, 2023
- Filing Procedure
  - No email or hard copy submission
  - Must use CRD's portal to submit report(s)
  - Three methods to build report(s): Excel file, CSV file, or portal's fillable forms
    - Excel file is recommended and most common method
  - Additional guidance in the portal, user guide, and FAQs.

# Pay Data Reporting: Homepage with resources

- <https://civildrights.ca.gov/paydatareporting/>



## Pay Data Reporting: Two report types

- Payroll Employee Report (updated for 2023)
- Labor Contractor Employee Report (new for 2023)
- Must use CRD's templates and instructions available on February 1, 2023
  - Do not use prior versions – portal will reject them
  - Must use specific template/instructions for each report type
    - Each type's Excel template/CSV instructions may appear similar to the other type, but there are some critical differences
  - Additional guidance in the portal, user guide, and FAQs.



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## 3. Basic steps for a Payroll Employee Report



## Payroll Employee Report – Key terms

- Payroll Employee Report – The type of pay data report by which employers annually report to CRD data on their payroll employees
- Payroll Employee – An individual on an employer's payroll, including a part-time individual, for whom the employer is required to withhold federal social security taxes from that individual's wages
- Employer – A private individual, entity, or other person as defined by Government Code section 12925 (including one or more entities acting in concert) that is obligated to file a Payroll Employee Report and/or a Labor Contractor Employee Report
- Establishment – An economic unit producing goods or services.

# Payroll Employee Report – Steps to build and file report

1. Determine whether the employer is required to file a Payroll Employee Report for reporting year 2022. If the employer is required to file, proceed through the following steps.
2. Determine which establishments the employer has and gather information about each establishment.
3. Determine the employer's "snapshot period" to identify the employees who will be reported on. Employees assigned to California establishments and/or who work from California must be reported on.

## Payroll Employee Report – Steps to build and file report

4. For all California employees in the snapshot period, identify each employee's establishment, job category, race/ethnicity, sex, pay, pay band, hours worked, and hourly rate.
5. Group employees who have the same establishment, job category, pay band, and race/ethnicity/sex combination. Some groups may be a group of one if no other employee in the establishment shares that employee's job category, pay band, race/ethnicity, and sex.

## Payroll Employee Report – Steps to build and file report

6. For each employee group, calculate the mean hourly rate, median hourly rate, and total hours worked by the group.
7. Gather additional information about the employer and its establishments, such as:
  - The employer's address on file with the California Employment Development Department (EDD)
  - Total employees in the United States and in California
  - FEIN, SEIN, NAICS code, DUNS number, and whether the employer is a state contractor.

# Payroll Employee Report – Steps to build and file report

## 8. Register in the portal and build the report.

- First, in the portal, provide information about the employer and, if relevant, its parent company, as well as information on all affiliated entities included in the report (Employer Info and Submission Info).
- Next, provide establishment and employee information (Establishment and Employee Details), as well as any clarifying remarks. Do this by uploading an Excel file using CRD's template (recommended), uploading a .CSV file following instructions in the user guide, or using the portal's fillable forms.

## Payroll Employee Report – Steps to build and file report

9. Correct any errors identified by the portal. Certify the final report and submit by May 10, 2023.
10. Review the Payroll Employee Report, and visualizations provided by the portal, to ensure voluntary compliance with equal pay and antidiscrimination laws.

# Payroll Employee Report – Which employers are required to file? (1 of 2)

- A private employer with 100 or more payroll employees (anywhere as long as it has one California employee)
  - A payroll employee is an individual on an employer's payroll, including a part-time individual, and for whom the employer is required to withhold federal social security taxes from that individual's wages
  - An employer has the requisite number of payroll employees if the employer either employed 100 or more payroll employees in the snapshot period (see next slide) or regularly employed 100 or more payroll employees during the reporting year.

## Payroll Employee Report – Which employers are required to file? (2 of 2)

- Example: An employer that had 50 full-time payroll employees inside California and 50 part-time payroll employees outside of California during the reporting year would be required to submit a Payroll Employee Report.
- Additional guidance in the FAQs (Part III.C)



# Payroll Employee Report – Reporting year and snapshot period

- Calendar year 2022 is this year’s “reporting year”
- The “snapshot period” is a single pay period between 10/1/2022 and 12/31/2022.
  - Snapshot period is picked by the employer to identify the payroll employees who must be reported on
  - Snapshot period is not the period of time for identifying an employee’s pay or hours worked
  - Does not matter whether an employee was paid during the snapshot period; it only matters whether the employee was employed during the snapshot period
- Additional guidance in the FAQs (Part III.B)

# Payroll Employee Report – Which payroll employees are reported on? (1 of 3)

- An employer's Payroll Employee Report must include all of its payroll employees assigned to California establishments and/or working within California during the snapshot period.
  - Example 1: Employer with 5,000 payroll employees working across 10 establishments in California
    - Report would include all 5,000 employees, reported by establishment.
    - If 100 of these employees were working remotely (in California or beyond), the employer's report would still cover all 5,000 employees, and the 100 remote employees would be assigned by the employer to their associated establishment

## Payroll Employee Report – Which payroll employees are reported on? (2 of 3)

- Example 2: Employer has one establishment in California with 50 employees (with three workers teleworking from Nevada during the snapshot period) and one establishment in Nevada with 50 employees (with three workers teleworking from California during the snapshot period),
  - Report would include (1) data for their California establishment that covers all 50 employees, including those teleworking from Nevada; and (2) data for their Nevada establishment that covers only the three employees teleworking from California.
  - Employers may not report on the 47 employees assigned to the Nevada establishment and working from Nevada.

## Payroll Employee Report – Which payroll employees are reported on? (3 of 3)

- Important update: Unlike in years past, employers should not report employees who are working outside of California and are assigned to an establishment outside of California.
- Additional guidance in the FAQs (Part III.D)



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## 4. Basic steps for a Labor Contractor Employee Report

# Labor Contractor Employee Report – Key terms

- Labor Contractor Employee Report – The type of pay data report by which a client employer annually reports data on their labor contractor employees to CRD
- Labor Contractor Employee – An individual on a labor contractor's payroll, including a part-time individual, for whom the labor contractor is required to withhold federal social security taxes from that individual's wages, and who performs labor for a client employer within the client employer's usual course of business
- Client Employer – A private individual, entity, or other person as defined by Government Code section 12925 (including one or more entities acting in concert) that has workers hired through labor contractors
- Labor Contractor – 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

# Labor Contractor Employee Report – Steps to build and file report

1. Determine whether the employer – that is, the client employer – is required to file a Labor Contractor Employee Report for reporting year 2022. If the employer is required to file, proceed through the following steps.
2. Determine which establishments the employer has and gather information about each establishment. Determine which labor contractors the employer used, determine which establishments had labor contractor employees.
3. Determine the “snapshot period” for each labor contractor to identify the labor contractor employees who will be reported on. Labor contractor employees assigned to California establishments and/or who work from California must be reported on.

# Labor Contractor Employee Report – Steps to build and file report

4. For all California labor contractor employees being reported on, identify each labor contractor employee's establishment, job category, race/ethnicity, sex, pay, pay band, and hours worked.
  - Labor contractors are required to provide necessary information to the client employer.
5. Group employees who have the same establishment, labor contractor, job category, pay band, and race/ethnicity/sex combination.
  - Some groups may be a group of one if no other employee in the establishment shares that employee's job category, pay band, race/ethnicity, and sex.



# Labor Contractor Employee Report – Steps to build and file report

6. For each employee group, calculate the mean hourly rate, median hourly rate, and total hours worked by the group.
7. Gather additional information about the employer and its establishments, such as:
  - The employer's address on file with the California Employment Development Department (EDD)
  - Total employees in the United States and in California
  - FEIN, SEIN, NAICS, DUNS Number, and whether the employer is a state contractor.

# Labor Contractor Employee Report – Steps to build and file report

8. Register in the portal and build the report.
  - First, in the portal, provide information about the employer and, if relevant, its parent company, as well as information on all affiliated entities included in the report (Employer Info and Submission Info).
  - Next, provide establishment and employee information (Establishment and Employee Details), as well as any clarifying remarks. Do this by uploading an Excel file using CRD's template (recommended), uploading a .CSV file following instructions in the user guide, or using the portal's fillable forms.

# Labor Contractor Employee Report – Steps to build and file report

9. Correct any errors identified by the portal. Certify the final report and submit by May 10, 2023.
10. Review the Labor Contractor Employee Report, and visualizations provided by the portal, to ensure voluntary compliance with equal pay and antidiscrimination laws.

# Labor Contractor Report – Which employers are required to file? (1 of 2)

- A private employer with 100 or more labor contractor employees within the prior calendar year (anywhere as long as it has one California labor contractor employee)
  - A “labor contractor employee” is an individual on a labor contractor’s payroll, including a part-time individual, and for whom the labor contractor is required to withhold federal social security taxes from that individual’s wages, and who performs labor for a client employer within the client employer’s usual course of business.
  - 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.

## Labor Contractor Report – Which employers are required to file? (2 of 2)

- The client employer has the requisite number of labor contractor employees if the employer either had 100 or more labor contractor employees in the snapshot period (see next slide) – across all of its labor contractors, not per labor contractor – or regularly had 100 or more labor contractor employees during the reporting year.
  - Example: An employer that had 50 full-time labor contractor employees inside California and 50 part-time labor contractor employees outside of California during the reporting year would be required to submit a Labor Contractor Employee Report.
- Additional guidance in the FAQs (Part IV.C)

# Labor Contractor Employee Report – Reporting year and snapshot period

- Calendar year 2022 is this year’s “reporting year”
- The “snapshot period” is a single pay period between 10/1/2022 and 12/31/2022.
  - Snapshot period is picked by the employer, working with its labor contractor(s), to identify the labor contractor employees to be reported on
    - If more than one labor contractor, snapshot period does not need to be the same for each labor contractor
  - Snapshot period is not the period of time for identifying a labor contractor employee’s pay or hours worked
  - Does not matter whether a labor contractor employee was paid during the snapshot period; it only matters whether they were working for the client employer during the snapshot period
- Additional guidance in the FAQs (Part IV.B)

# Labor Contractor Employee Report – Which labor contractor employees are reported on? (1 of 2)

- Employers must include all labor contractor employees assigned to California establishments and/or working within California during the snapshot period.
  - Example 1: Employer with 5,000 labor contractor employees working across 10 establishments in California
    - Report would include all 5,000 labor contractor employees, reported by establishment *and by labor contractor*.
    - If 100 of these labor contractor employees were working remotely (in California or beyond), the employer's report would still cover all 5,000 workers, and the 100 remote workers would be assigned by the employer to their associated establishment

## Labor Contractor Employee Report – Which labor contractor employees are reported on? (2 of 2)

- Example 2: Employer has one California establishment with 60 labor contractor employees (with 10 workers teleworking from Texas during the snapshot period) and one Texas establishment with 60 labor contractor employees (with 10 workers teleworking from California during the snapshot period)
  - Report would include (1) data for their California establishment that covers all 60 labor contractor employees, including those teleworking from Texas; and (2) data for their Texas establishment that covers only the labor contractor employees teleworking from California.
  - Employers may not report the 50 labor contractor employees assigned to the Texas establishment.
- Additional guidance in the FAQs (Part IV.D)



## Additional guidance in the FAQs (Part IV.E)

- “Usual course of business” as used in definition of labor contractor
- When do labor contractors need to supply necessary data to client employers?
- Questions regarding prime contractors and subcontractors



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## 5. Issues common to both report types

# Pay Data Reports (Both Types) – Establishments

- “Establishment” means “an economic unit producing goods or services.”
  - Examples: a factory, office, store, mine, or a team of workers who work entirely remotely and do not have a physical office.
  - More than one establishment may exist in an office or other physical location.
  - A multiple-establishment employer’s headquarters is a distinct establishment, reported in the same manner as other establishments.
- An employer decides which establishments it has.
  - To the greatest extent possible, while following the guidance above, employers should utilize the same establishments that they use for their federal reporting.
- Additional guidance in the FAQs (Part V.A)

# Pay Data Reports (Both Types) – Job Categories

Employers should assign each payroll employee/labor contractor employee to one of the following ten job categories. Additional guidance in the FAQs (Part V.B)

1. Executive or senior level officials and managers
2. First or mid-level officials and managers
3. Professionals
4. Technicians
5. Sales workers
6. Administrative support workers
7. Craft workers
8. Operatives
9. Laborers and helpers
10. Service workers

## Pay Data Reports (Both Types) – Race/Ethnicity

Employers should assign each payroll employee/labor contractor employee to one of the following 7 race/ethnicity categories. Additional guidance, including methods of identification, in the FAQs (Part V.B).

- Hispanic/Latino
- Non-Hispanic/Latino White
- Non-Hispanic/Latino Black or African American
- Non-Hispanic/Latino Native Hawaiian or Other Pacific Islander
- Non-Hispanic/Latino Asian
- Non-Hispanic/Latino American Indian or Alaskan Native
- Non-Hispanic/Latino Two or More Races-

## Pay Data Reports (Both Types) – Sex

Employers should assign each payroll employee/labor contractor employee to one of the following 3 sex categories. Additional guidance, including methods of identification, in the FAQs (Part V.B).

- Female
- Male
- Non-binary

## Pay Data Reports (Both Types) – Pay and pay bands (1 of 2)

Employers should assign each payroll employee/labor contractor employee to one of the following 12 pay bands, using the employee's W-2 (see next slide).

Additional guidance in the FAQs (Part V.C).

- |                        |                           |
|------------------------|---------------------------|
| 1. \$19,239 and under  | 7. \$68,120 – \$87,359    |
| 2. \$19,240 – \$24,959 | 8. \$87,360 – \$112,319   |
| 3. \$24,960 – \$32,239 | 9. \$112,320 – \$144,559  |
| 4. \$32,240 – \$41,079 | 10. \$144,560 – \$186,159 |
| 5. \$41,080 – \$53,039 | 11. \$186,160 – \$239,199 |
| 6. \$53,040 – \$68,119 | 12. \$239,200 and over    |

## Pay Data Reports (Both Types) – Pay and pay bands (2 of 2)

- Use W2 Box 5 to identify each employee's pay
  - If anyone has wages not reported in Box 5, use Box 1 for that employee and note this in the associated clarifying remarks field.
- Do not annualize pay for any employee who did not work the entire calendar year
- For Labor Contractor Employee Reports, if a labor contractor employee has worked for more than one client employer over the course of the calendar year, their W-2 Box 5 wages should be allocated respectively to each client employer, based on the wages for work performed for that client employer
- Additional guidance in the FAQs (Part V.C)



## Pay Data Reports (Both Types) – Hours worked (1 of 2)

Employers should identify the number of hours worked by each payroll employee/labor contractor employee in 2022 (not only during the snapshot period).

- Non-exempt: Use timesheets or other records
- Exempt: Use timesheets or other records, if available. If not, use proxy methodology.
- Do not annualize hours for any employee who did not work the entire calendar year

## Pay Data Reports (Both Types) – Hours worked (2 of 2)

- For Labor Contractor Employee Reports, if a labor contractor employee has worked for more than one client employer over the course of the calendar year, their hours worked should be allocated respectively to each client employer, based on the hours of work performed for that client employer
- Additional guidance in the FAQs (Part V.D)

## Pay Data Reports (Both Types) – Mean hourly rate (1 of 2)

Employers are required to report the mean hourly rate for each grouping of employees with the same establishment, job category, race/ethnicity, and sex combination.

- First, calculate each individual's hourly rate by dividing the employee's W-2 Box 5 income by the number of hours the employee worked.
  - Example: if an employee's W-2 Box 5 income is \$100,000 and the employee worked 2,080 hours, the employee's hourly rate is \$100,000 divided by 2,080 or \$48.08.

## Pay Data Reports (Both Types) – Mean hourly rate (2 of 2)

- Second, calculate the mean hourly rate by adding the individual hourly rates for each employee in the group, then dividing that sum by the number of employees in the group.
- Additional guidance in the FAQs (Part V.E)

## Pay Data Reports (Both Types) – Median hourly rate (1 of 2)

Employers are required to report the median hourly rate for each grouping of employees with the same establishment, job category, race/ethnicity, and sex combination.

- Using each individual's hourly rates (see previous slide), the median hourly rate is calculated by ordering the hourly wages of each employee in the group from smallest to largest and selecting the middle number.

## Pay Data Reports (Both Types) – Median hourly rate

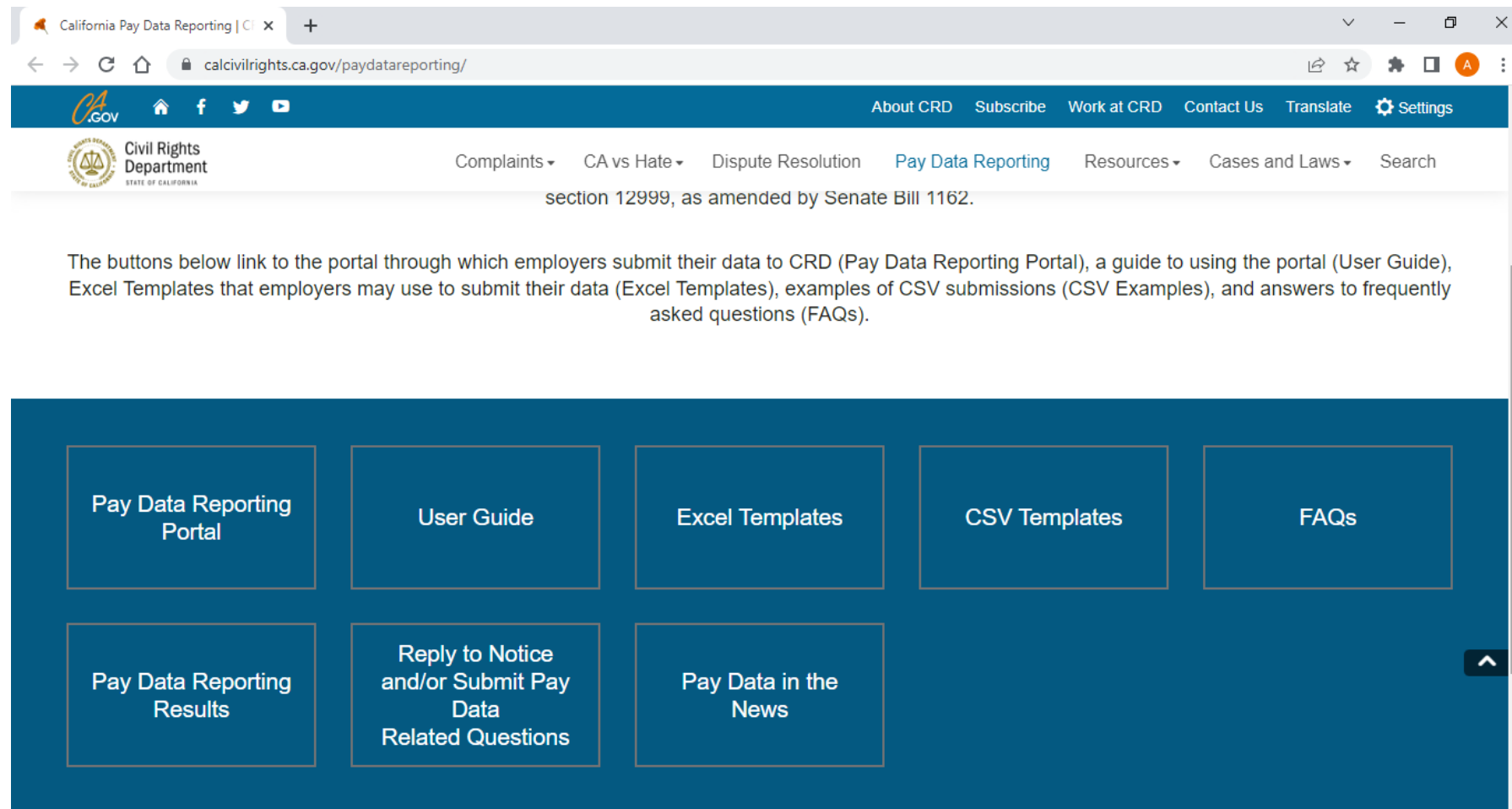
- Example: Employees A, B, and C are the only three employees grouped in the same establishment, job category, race/ethnicity, and sex combination. Employee A's hourly rate is \$20.00, Employee B's hourly rate is \$21.00, and Employee C's hourly rate is \$22.00. The median hourly rate for the group would be \$21.00, which is the middle number when all three employees' hourly rates are arranged in order from smallest to largest (\$20.00, \$21.00, \$22.00).
- Additional guidance in the FAQs (Part V.E)

# Pay Data Reports (Both Types) – Build and submit report

- Register in the portal and build the report.
- First, in the portal, provide information about the employer and, if relevant, its parent company, as well as information on all affiliated entities included in the report (Employer Info and Submission Info).
- Next, provide establishment and employee information (Establishment and Employee Details), as well as any clarifying remarks. Do this by uploading an Excel file using CRD's template (recommended), uploading a .CSV file following instructions in the user guide, or using the portal's fillable forms.
  - Excel templates: <https://calcivilrights.ca.gov/paydatareporting/pdr-excel-templates/>
  - Follow instructions in the portal, user guide, templates, and FAQs.

# Pay Data Reporting: Access to the portal and other resources

- <https://civildrights.ca.gov/paydatareporting/>





# Welcome to the California Pay Data Reporting Portal

California law (Government Code § 12999) requires employers with 100 or more payroll or contractor employees to annually submit data on the pay, hours worked, and demographics of their employees to the California Civil Rights Department (CRD). For more information about this law and filing requirements, visit: [calcivilrights.ca.gov/paydatareporting](https://calcivilrights.ca.gov/paydatareporting).

The filing deadline for the 2022 reporting year is May 10, 2023.

Employers must use this portal to submit their pay data reports to CRD. The high-level steps to submit the report are:

1. Register and create a log-in to the portal.
2. Provide employer information.
3. Declare whether you are submitting a payroll or contractor report.
4. Provide establishment and employee information:
  - a. Upload Excel file
  - b. Upload CSV file
  - c. Complete on-line forms
5. Complete the certification process

Prior to certification of a report, an employer may re-enter the portal to change their report using their login credentials. After certification, the employer can access a read-only version of their certified pay data reports. If an employer needs to revise information previously certified, the previously certified report may be decertified and edited no later than the due date of the reporting year or seven days after certification, whichever comes last. If a certified report must be revised after this cutoff period, then the employer must start a new report, entering all data, and explain the correction in the remarks section of the report.

Instructions are provided within the portal, in the [User Guide](#), and in the [FAQs](#) available



## Pay Data REPORTING PORTAL

CIVIL RIGHTS DEPARTMENT

### Login

Email

Password

[Login](#)[Register](#)[Forgot Password](#)



# California Pay Data Reporting Portal

## USER GUIDE

CALIFORNIA CIVIL RIGHT DEPARTMENT

VERSION 5.1





## Pay Data Reporting - Excel Templates

Private employers with 100 or more payroll employees are required to file a Payroll Employee Report. In addition, due to a new requirement for the 2022 Pay Data filing season (see [SB 1162](#)), employers with 100 or more labor contractor employees are required to file a separate Labor Contractor Employee Report. To facilitate both Payroll Employee Pay Data (traditional type) and Labor Contractor Pay Data (new) Reports, CRD has created two distinct Excel Templates for each report type.

### FOR REPORTING YEAR 2022 (REPORTS DUE MAY 10, 2023)

- [PDR Excel Template – Payroll Employees.xlsx](#)
- [PDR Excel Template – Labor Contractor Employees.xlsx](#)

For a detailed explanation of the filing requirements for both types of Pay Data Reports, please refer to the FAQs for pay data reporting here:

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

# Payroll Employee Report – Excel template with instructions and examples

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
	Establishment Name*	Address Line 1*	Address Line 2	City*	State*	ZIP Code	NAICS Code*	Major Activity	Total Number of Employees at Establishment*	Was a California Pay Data Report filed for this establishment last year?*	Was an EEO-1 Report filed for this establishment last year?*	Is this establishment the employer's headquarters?*	Job Category	Race/Ethnicity/Se-	Pay Ban	Number of Employees *	Mean - Hourly Rate*	Median - Hourly Rate*	Total Hours	Row-Level Clarifying Remarks
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PayDataReport | Instructions | Example - Single Establishment | Example - Multi Establishment

# Labor Contractor Employee Report – Excel template with instructions and examples

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	Establishment Name*	Address Line 1*	Address Line 2*	City*	State*	ZIP Code*	NAICS Code*	Major Activity*	Total Number of Employees at establishment*	Was a California Pay Data Report filed for this establishment?	Was an EEO-1 Report filed for this establishment?	Is this establishment the employer of record?	Labor Contractor Name*	Labor Contractor FEIN*	Snapshot Begin Date*	Snapshot End Date*	Job Category*	Race/Ethnicity/Sex*	Pay Band*	Number of Employees*	Mean - Hourly Rate*	Median - Hourly Rate*	Total Hours*	Row-Level Clarification*	
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PayDataReport

Instructions

Example - Single Establishment

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## California Pay Data Reporting: Frequently Asked Questions

Updated for the 2022 Reporting Year (reports due May 10, 2023)

California law requires private employers of 100 or more employees and/or 100 or more workers hired through labor contractors to annually report pay, demographic, and other workforce data to the Civil Rights Department (CRD). Please visit the [California Pay Data Reporting](#) page to access the online portal that employers must use to submit their annual reports to CRD, a user guide to the portal, templates that employers can use to create their reports, and other resources. Below, please find answers to frequently asked questions. You can email [paydata.reporting@dfeh.ca.gov](mailto:paydata.reporting@dfeh.ca.gov) if you have additional questions not answered below.

### Important Announcements for the 2022 Reporting Year

- New versions of pay data reporting resources for the new reporting year will be available by February 1, 2023, at [www.calcivilrights.ca.gov/paydatareporting](http://www.calcivilrights.ca.gov/paydatareporting). For more information, see FAQ “How do employers submit their pay data reports to CRD?”
  - For reports covering Reporting Year 2022 (reports due May 10, 2023), use the templates, instructions, and other resources made available by CRD on February 1, 2023. Do not use prior years’ templates; the portal will reject earlier versions.
- Senate Bill 1162, which the California Legislature enacted in 2022 and became effective on January 1, 2023, made several changes to the pay data reporting requirement. The FAQs below have been updated to reflect Senate Bill 1162’s requirements. For more information about the changes in the law made by Senate Bill 1162 see FAQ

# Pay Data Reporting: Certification

- Before filing a pay data report, an official must certify that the employer's report is accurate and was prepared in accordance with CRD's instructions.
  - Employer may designate their own certifying official, but the certifying official must have knowledge of the information contained in the report (or have had that information provided to them by individuals with knowledge contained in the report), have reviewed the report and can certify its accuracy, and be authorized to file the report on behalf of the employer.
- Professional Employer Organizations (PEOs), Human Resource Outsourcing Organizations (HROs), or labor contractors may assist in preparing and may file pay data reports with CRD on behalf of client employers, However, an official of the client employer, not from the PEO, HRO, or labor contractor, must certify the report.
- See FAQs (Part VI) for more information about PEOs and HROs.

## Pay Data Reporting: Self-Assessment

- CRD urges employers to take the opportunity provided by this program to review their pay and other employment practices to ensure voluntary compliance with California civil rights laws
- To support employers in this effort, the pay data reporting portal provides an employer with visualizations of the certified data that it submitted to CRD





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## 6. Pay data reporting URLs

# Civil Rights Department's Pay Data Reporting Resources

Pay data reporting homepage: <https://civildrights.ca.gov/paydatareporting/>

- Access to portal, user guide, FAQs, Excel templates, results, and other resources
- Portal: <https://pdr.civildrights.ca.gov/s/>
- FAQs: <https://civildrights.ca.gov/paydatareporting/faqs/>
  - Additional questions not addressed in the FAQs? Write to: [paydata.reporting@dfeh.ca.gov](mailto:paydata.reporting@dfeh.ca.gov)
- Excel templates: <https://civildrights.ca.gov/paydatareporting/pdr-excel-templates/>