



HR CONSULTING

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HR-Alert: Illinois Equal Pay Act Reporting Requirements

Illinois adopted changes in 2022 requiring private businesses with 100 or more employees in the state of Illinois to report certain payroll information to the Illinois Department of Labor (IDOL) to obtain an Equal Pay Registration Certificate (EPRC). Employers must submit their EPRC application to the state by March 24, 2024, and then every two years after the first submission.

Who Must Comply

- Private employers with 100 employees or more in the state of Illinois are required to file an annual EEO-1 with the federal EEOC
 - They must also obtain an EPRC and file a report
- The total number of employees include those physically working in Illinois, employees who are outside of Illinois but report to a manager in Illinois, or employees that are based out of Illinois on December 31 of the calendar year preceding the reporting deadline

Reporting Requirements

- Employers must create an [Illinois Public ID Account](#) to access the EPRC filing [portal](#) and then they will be assigned an EPRC application deadline
- Employers that have not received an EPRC application deadline will be notified by the IDOL on or before December 31, 2023, of their assigned due date; employers will be provided at least 120 days before their EPRC application is due
- An EPRC application must include:
 - A list of all employees during the 12-month calendar year immediately prior to the application or recertification due date by the same job classification, job title, gender, race, and ethnicity categories as are included on the federal EEO-1 report. Final regulations clarified that reported data is no longer required to be the most recently federal EEO-1 data;
 - Pay data, including wages paid in the previous calendar year and total hours worked by the employee. Final regulations clarified “wages” as any compensation paid to an employee in return for services rendered, including hourly wages, overtime wages, earned commissions, deferred compensation, piece rate work, salary, earned bonuses, stocks, and ownership shares;
 - Number of hours worked for each employee; this is a new requirement for 2023;
 - A signed [Equal Pay Compliance Statement](#) by a corporate officer, legal counsel, or authorized agent of the business; and
 - Filing fee of \$150.00

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Employer Next Steps

- If you have not already, impacted employers should create an Illinois Public ID Account
- Employers that have not received an EPRC application deadline should expect to receive one by IDOL via email on or before December 31, 2023; if you have not provided the IDOL with your contact information, email DOL.EPRC@Illinois.gov for further instructions
- Employers should begin to prepare and file their data no later than March 24, 2024
- Employers may review the IDOL's [step-by-step guide](#) and [FAQs](#) on this filing requirement

If you have any questions regarding this HR-Alert, please [email us](#).