

Legal Update

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Employers with 100+ Employees Must File Pay Data by March 23

Under the Illinois Equal Pay Act (IEPA), certain private employers with 100 or more employees in the state must apply for an [Equal Pay Registration Certificate](#) (EPRC) from the Illinois Department of Labor (IDOL) by **March 23, 2024** (or, for those that did not become authorized to transact business in Illinois until after March 23, 2021, within three years after commencing operations). The IEPA also requires recertification every two years after the initial certification.

Background

The IEPA, enacted in 2003, prohibits all employers with four or more employees in the state from paying men and women differently or paying individuals who are African-American less than those who are not for substantially similar work, subject to certain exceptions. In 2021, [Senate Bill \(SB\) 1480](#) amended the IEPA to add the reporting mandate for larger employers. The purpose of the mandate is to advance pay equity through pay transparency.

EPRC Application Process

To apply for an EPRC, an employer must create an [Illinois Public ID Account](#) and provide contact information to the IDOL by completing an [enrollment form](#). The IDOL will then assign a certification deadline and contact the employer to provide at least 120 days advance notice of an assigned date. However, the IDOL's failure to assign a date does not exempt a covered employer from compliance. Thus, covered employers that have not received a deadline notice from IDOL must ensure that they complete a submission by March 23, 2024.

Along with an application for an EPRC, a covered employer must pay a \$150 filing fee and submit:

- Employee wage records separated by gender, race and ethnicity; and
- A statement certifying its compliance with the IEPA and other state and federal laws related to equal pay.

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Important Information Covered Employers

An employer with 100 or more employees is subject to the EPRC mandate if it is also [required to file an EEO-1 report](#) under federal law.

Upcoming Deadline

The upcoming deadline applies to covered employers that were authorized to transact business in Illinois as of March 23, 2021.

Smaller Employers

If a smaller employer's workforce ever grows to 100, the business must submit its contact details to the IDOL.

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must be filed with the
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