



# Illinois enacts equal pay, workplace diversity disclosure laws

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March 31, 2021*

Changes to the Illinois Equal Pay Act and Business Corporation Act will impose new certification and workplace diversity disclosure requirements under Senate Bill 1480, signed by the governor on March 23, 2021.

Illinois corporations that are required to file the federal EEO-1 report with race, gender and ethnicity data will have to include “substantially similar” information in corporate reports submitted in Illinois on or after Jan. 1, 2023. Also, private sector employers with more than 100 employees in Illinois will need to certify their compliance with equal pay laws, disclose workforce demographic and pay information, and apply for an equal pay registration certificate on or before March 23, 2024.

## Highlights

### Workforce demographic reporting

Corporations that file a federal EEO-1 report with the Equal Employment Opportunity Commission must file “substantially similar” data to that reported in Section D of the EEO-1 — as part of their annual corporate report filings with the Illinois secretary of state, beginning with reports due on or after Jan. 1, 2023. The secretary of state will publish gender, race and ethnicity data on the department website within 90 days after the report is filed.

### Equal pay registration certification

Private sector employers with more than 100 employees in Illinois will have to obtain equal pay registration certificates, and the first applications must be made on or before March 23, 2024, and every two years thereafter. Employers with more than one facility in Illinois will submit one application. Employers must submit to the Illinois Department of Labor (IDOL) a filing fee, their latest federal EEO-1 report if applicable, an equal pay compliance statement confirming the organization’s compliance with federal and state equal pay legislation, and must specify the methodology used to set pay and benefits. The statement must also include the total wages paid to each employee during the past year. Employers must confirm they do not restrict jobs for certain genders and make employment decisions regardless of gender, and they must explain the frequency with which they conduct wage and benefit analyses. The IDOL can audit organizations to ensure compliance, and can require employers to disclose workforce information, including average salaries and other information. It will revoke the certification of organizations that fail to make good faith efforts to comply with the equal pay laws, or that violate them.

Organizations that fail to obtain their certificates, or if their certificates are suspended or revoked following investigation by the ILDO, face fines equal to 1% of gross profits.

The IDOL is expected to issue further implementation guidance on employers' compliance duties.

## Related resources

- [Press release](#) (Governor of Illinois, March 23, 2021)
- [Senate Bill 1480](#) (Illinois General Assembly, March 23, 2021)
- [EEO-1 data collection](#) (US Equal Employment Opportunity Commission)

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