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BLOGS

Discrimination; Employment Law Updates

“Know Your Rights” – And Know It’s Time to Display a New Poster

On October 19, 2022, the Equal Employment Opportunity Commission (“EEOC”) released a new poster that employers must prominently display in the workplace. The new poster replaces an old version, titled “Equal Employment Opportunity is the Law,” which featured important information regarding federal laws prohibiting workplace discrimination embedded in blocks of text that may have been cumbersome and difficult to read. The new poster, entitled simply “Know Your Rights,” contains much of the same information, along with some new updates.

Perhaps most striking, the new poster received a facelift. Key information has been distilled into more user-friendly bullet points for quick and easy comprehension. As the EEOC has noted, both the language and the formatting are now more straightforward. Additionally, the EEOC has adapted to the pervasiveness of modern technology by including a QR code on the poster for instant access to its webpage containing instructions on how to file a charge of discrimination.

The new poster also includes some additional information not in the old poster, including: that harassment is a form of discrimination; that discrimination on the basis of sex includes discrimination based on pregnancy and pregnancy-related conditions, sexual orientation, and gender identity; and information related to equal pay for federal contractors.

Not only does the new and improved poster make it easier for employers to understand their legal obligations to their employees, but it also clarifies employees’ rights under federal law. Just like with its predecessor, covered employers are still required to display the Know Your Rights poster in a conspicuous location in the workplace where both employees and applicants are likely to see it. And, pursuant to the Americans with Disabilities Act, the poster must be displayed in an area that is accessible to employees and applicants who may have limited mobility. However, in a nod to the increasing prevalence of hybrid working environments, an employer may instead post this notice digitally in a conspicuous location on its website – and in some cases where employees are fully remote or do not work in the office, the digital posting is all that is required. Keep in mind that covered employers who do not display the poster (either physically or digitally) at all may be fined by the EEOC for noncompliance.

The EEOC has not yet specified a deadline by which employers will need to display the Know Your Rights poster. Employers should keep an eye out for further information from the EEOC to ensure they stay compliant. Further details regarding the poster and display requirements are available on the EEOC’s [website](#).

A link to the Know Your Rights poster can be found [here](#) (in English) and [here](#) (in Spanish). Translations in other languages are forthcoming, according to the EEOC.