

Failure to comply with Title VII, ADA and GINA's notice posting requirements may result in fines of up to \$525 for each separate offense starting on July 5, 2016

ATTORNEYS

- Miguel Rivera-Arce
- Anita Montaner-Sevillano
- James D. Noël
- Reinaldo L. Figueroa-Matos
- Rica López de Alós
- Iraida Díez

PRACTICE AREAS

- Labor & Employment

An McV Labor & Employment Law Alert

June 21, 2016

On June 2, 2016, the Equal Employment Opportunity Commission (“EEOC”) published a Final Rule increasing the penalty for violation of notice posting requirements in Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (“ADA”) and the Genetic Information Non-Discrimination Act (“GINA”), to \$525 for each separate offense.

Every employer, employment agency, labor organization, and joint labor-management committee controlling an apprenticeship or other training program that has an obligation under Title VII, ADA or GINA must post, and keep posted in conspicuous places upon its premises, notices in an accessible format, to be prepared or approved by the Commission, describing the applicable provisions of Title VII, ADA and GINA. Such notice must be posted in prominent and accessible places where notices to employees and applicants are customarily maintained.

Failure to comply with said notice posting requirement is punishable by a fine of up to \$525 for each separate offense, which has been more than doubled, considering the current fine for each separate offense is \$210.

Employers may comply with the abovementioned notice posting requirement by obtaining from the EEOC and posting in a conspicuous place the poster “EEO is The Law”. You may obtain it in the EEOC’s website.

This final rule, and as a result the fine of up to \$525 for not complying with the notice posting requirements in Title VII, ADA and GINA will be effective on July 5, 2016.

The content of this McV Alert has been prepared for information purposes only. It is not intended as, and does not constitute, either legal advice or solicitation of any prospective client. An attorney-client relationship with McConnell Valdés LLC cannot be formed by reading or responding to this McV Alert. Such a relationship may be formed only by express agreement with McConnell Valdés LLC.