

Publications

EEOC Mandates a New “Know Your Rights” Poster

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In October 2022, the U.S. Equal Employment Opportunity Commission (EEOC) released an updated [Know Your Rights poster](#). EEOC Chair Charlotte A. Burrows heralded the new poster as a “win-win for employers and workers alike” because the “plain language and bullet points” make it “easier for employers to understand their legal responsibilities and for workers to understand their legal rights and how to contact the EEOC for assistance.”

The poster summarizes the anti-discrimination laws enforced by the EEOC and explains that employees and applicants can file a charge if they believe that they have experienced discrimination. The poster shares information about discrimination based on:

- Race, color, sex (including pregnancy and related conditions, sexual orientation, or gender identity), national origin, religion;
- Age (40 and older);
- Equal pay;
- Disability;
- Genetic information (including family medical history or genetic tests or services); as well as
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.

The poster substantively updates the prior poster by noting harassment is a prohibited type of discrimination and specifying that sex discrimination includes discrimination based on pregnancy and related conditions, sexual orientation and gender identity.

In addition, the poster includes information specific to federal contractors concerning discrimination under Executive Order 11246, Section 503 of the Rehabilitation Act, and the Vietnam Veterans Readjustment Assistance Act. The poster also includes information on the federal contractor pay transparency requirements. All of this information was previously contained in the required “EEO is the Law

Supplement.”

The poster now has internet links and email addresses to contact the EEOC, and, for the first time, features a QR code that links directly to a website with instructions for how to file a discrimination charge with the EEOC.

The poster must be conspicuously placed in the workplace where notices to applicants and employees are customarily posted. Federal contractors and subcontractors covered by Executive Order 11246 also must post it where it can be readily seen by representatives of labor unions with which the contractor or subcontractor has a collective bargaining agreement. In addition to physically posting, the EEOC “encourages” employers to post the notice digitally on their websites. In most cases, an electronic posting supplements the physical posting requirement, but an electronic posting may suffice in certain circumstances (remote workers, for example). Failing to post the posters subjects employers to fines for noncompliance (currently \$576 per offense). Contact your Vorys lawyer if you have questions about workplace postings.