Insights: Alerts

EEOC Releases Updated “Know Your Rights” Poster

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On October 19, 2022, the U.S. Equal Employment Opportunity Commission (EEOC) released a “Know Your Rights” poster, replacing the previous “EEO is the Law” poster. A new version (dated October 20, 2022) of this poster was replaced and supersedes the version uploaded on October 19, 2022, and employers should use the version marked “Revised 10/20/2022.” Covered employers – businesses with at least 15 employees – are required under federal law to prominently display the new poster at their work sites.

What Does This Poster Address?

The poster summarizes numerous federal laws prohibiting job discrimination and explains that employees or applicants can file a charge with the EEOC 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), and includes retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.

The poster is currently available in English and Spanish and will be available in additional languages at a later date.

What Has Changed?

The new poster uses plain language and bullet points, making it easier for employers to understand their legal responsibilities and for employees and applicants to understand their legal rights and how to contact the EEOC for assistance. More specifically, the new poster includes these changes:

- Uses straightforward language and formatting;
- Notes that harassment is a prohibited form of discrimination;
- Clarifies that sex discrimination includes discrimination based on pregnancy and related conditions, sexual orientation, or gender identity;
- Adds a QR code for fast digital access to the how to file a charge webpage;
- Provides information about equal pay discrimination for federal contractors.

Where Are Employers Required to Post the Updated Poster?

The posters should be placed in a conspicuous location in the workplace where notices to applicants and employees are customarily posted. The Americans with Disabilities Act requires that notices, such as this poster, are made available in a location that is accessible to applicants and employees with disabilities that limit mobility.

In addition, employers are strongly encouraged to post a notice digitally on their websites in a conspicuous location.

In most cases, electronic posting supplements the physical posting requirement. In some situations, especially where the employer is without a physical location or employees do not regularly visit the office, the electronic posting may be the only posting.

Where Do I Find the Updated Poster?

Download the poster at this link.

Conclusion

Kilpatrick's Labor and Employment Team will continue to monitor developments from the EEOC and will post any updates. If you have questions, contact a Kilpatrick Labor and Employment Team attorney.