CLIENT ALERT: EEOC Publishes Updated "Know Your Rights" Poster

On October 19, 2022, the United States Equal Employment Opportunity Commission ("EEOC") released the "Know Your Rights" poster. This new poster replaces the previous "EEO is the Law" poster which employers are required to display. The EEOC explains that the updated "Know Your Rights" poster is available in both English and Spanish, and will be available in additional languages at a later date.

Covered employers (including private employers with 15 or more employees) must place the poster in a conspicuous location in the workplace where notices are typically posted. Historically, you would find the EEOC poster (as well as posters required by federal and state law) in a break room, lunch room, or locker room. With the proliferation of remote work, the EEOC encourages employers to also post a notice digitally on a website or otherwise make it available to employees electronically.

According to its press release, the "Know Your Rights" poster includes the following changes from the prior "EEO is the Law" poster:

- Updated language and formatting;
- Explanation that harassment is a prohibited form of discrimination;
- Clarification that sex discrimination includes discrimination based on pregnancy and related conditions, sexual orientation, and gender identity;
- A QR code for digital access to the EEOC's website on how to file a charge; and
- Information about discrimination based on pay inquiries and other forms of discrimination for federal contractors.

Employers with questions about what posters to post, where and how to post them, and whether to distribute mandatory workplace posters should consult with their MBJ attorney.

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