

## Insights

### Time for a Breakroom Makeover: EEOC Releases New “Know Your Rights” Poster

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The Equal Employment Opportunity Commission (EEOC) released the “Know Your Rights: Workplace Discrimination is Illegal” poster on October 19, 2022, which replaces the “Equal Employment Opportunity is the Law” poster last revised in 2009.

In its **press release**, the EEOC states that the plain language and bullet point format makes it easier for employers and employees to understand their rights and responsibilities when it comes to federal discrimination laws. The updated poster also includes harassment as a prohibited form of discrimination and clarifies that sex discrimination includes discrimination on the basis of pregnancy and related conditions, sexual orientation, and gender identity. Further, in response to the modern digital age, the poster now includes a QR code that can be scanned for easy access to the EEOC’s webpage on “How to File a Charge of Employment Discrimination.” The “Know Your Rights” poster also provides information about equal pay discrimination for federal contractors. The poster is currently available in English and Spanish, however, it will eventually be available in other languages as well.

Every employer covered by nondiscrimination and equal employment opportunity laws must prominently post the EEOC’s new poster in a conspicuous location in the workplace where such notices to applicants and employees are customarily posted. This posting location must also be accessible to applicants and employees with disabilities who may have limited mobility to comply with the Americans with Disabilities Act. Additionally, employers are encouraged to post the notice digitally for employees to access at any time and to ensure that remote employees are provided with proper access to the poster. However, only in limited circumstances will digital posting alone satisfy an employer’s compliance requirements.

The EEOC has not yet specified a deadline for when the “Know Your Rights” poster must be posted, although employers should aim to replace the old with the new as soon as possible, as employers may be subject to fines for noncompliance. Please contact **Elizabeth M. Roberson, Virginia A. Talley**, or another member of our **Labor and Employment Practice** with any questions about the “Know Your Rights” poster or the EEOC’s posting or compliance requirements.

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