Client Alert: EEOC Releases Updated "Know Your Rights" Poster

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On October 19, 2022, the Equal Employment Opportunity Commission ("EEOC") released an updated "Know Your Rights" poster, which replaces the previous "EEO is the Law" poster. The EEOC's website lists several versions of the poster, including versions in English and Spanish. Employers must post the new poster in conspicuous locations where notices to employees and applicants for employment are customarily posted.

The new "Know Your Rights" poster includes the following changes:

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

The EEOC encourages employers to post the notice on their company website in addition to a physical location. For employers lacking a physical location or whose employees work solely on a remote basis, the website posting may be the only posting. Pursuant to the Americans with Disabilities Act ("ADA"), employers must also ensure that the notice is posted in a location and format that is accessible to applicants and employees with disabilities.

Employers should immediately post this new poster in all appropriate locations.

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