

EEOC and OFCCP Issue Updated Poster

Mary-Frances Ryan

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The Equal Employment Opportunity Commission (EEOC) and the Office of Federal Contractor Compliance Programs (OFCCP) recently issued a revised “Know Your Rights: Workplace Discrimination is Illegal” poster on their respective websites. The new poster replaces the poster last revised in 2009.

Effective immediately, every employer covered by the nondiscrimination and EEO laws as well as Federal contractors are required to post a notice on its premises that describes the Federal laws that prohibit job 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 or genetic information (including family medical history or genetic tests or services), and retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation or proceeding. The notice, which must be posted prominently in a conspicuous location where notices to employees and applicants for employment are posted, explains how employees and applicants for employment can file a complaint of violations. The EEOC also encourages employers to post the notice digitally on their website in a conspicuous location.

In addition, the Americans with Disabilities Act (ADA) requires covered employers to make available notices of Federal laws prohibiting job discrimination in a location that is accessible to employees and applicants for employment with disabilities that limit mobility. The poster should also be made available in an accessible format, such as on audio file, where the

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notice can be provided in an electronic format that can be utilized by screen-reading technology or read to employees or applicants with disabilities that limit seeing or reading ability.

The new “Know Your Rights: Workplace Discrimination is Illegal” poster contains the following changes and clarifications:

- Sex discrimination includes discrimination based on pregnancy and related conditions; sexual orientation and gender identity;
- Harassment, including unwelcome verbal or physical conduct, is listed as an employment practice that can be challenged as discriminatory;
- A QR code is included that when scanned, provides digital access to the page on the EEOC’s website that provides information on filing a charge of employment discrimination; and
- Federal contractors should note that the poster includes language that protects employees and applicants of Federal contractors “from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.”

The new poster can be accessed through the EEOC and OFCCP websites.