
Don't Risk Noncompliance
Be sure to be in the know with all
Labor Law Posting Requirements!

Learn the what, where, and how to posting to meet federal and state mandates

--- by Jaime Maltese, HR Assistant; Jaime@McCloskeyPartners.com

The US Department of Labor (DOL) requires organizations to physically post employee's rights under the law. Posting requirements do vary, depending on the number of employees as well as the nature and location of the organization. Generally speaking, any employer with at least one employee who is not their spouse is mandated to post.

Many questions arise as to where employers should place labor law posters. The simple answer is: **any area in the facility that is regularly visited by the employees**. Break rooms, employee lounges, kitchens, and cafeterias are some good examples of places you can post the law postings if there are two break rooms, and not all employees have easy access to both, posters should be placed in both rooms. The situation is similar if employees work on separate floors or are in separate buildings. If employees are not meeting in or sharing a centralized location at various times during the day, then postings in the various common areas by floor or building are necessary to be in compliance.

A good rule of thumb is that employees should not have to go out of their way to find the information regarding their rights.

With the increase in telecommuting, posting requirements are slightly different. Employers should make every effort to ensure their work-from-home employees can access their rights. To this end, employers can make the posters available on their intranet, share them electronically, and/or send physical posters home to their workers. Employers should also display them in the company's main office should any employee be on site.

How do you know when the Poster needs to be replaced due to changes made to the poster by the DOL or State Agency? It is the employer's responsibility to regularly check their posters to be sure they have the current version.

Being out of compliance can carry serious financial and legal consequences.

Examples of outcome of non-compliance:

- Failure to post the Occupational Safety and Health Act (OSHA) carries a citation and penalty.
- Refusing to comply with the Family and Medical Leave Act (FMLA) posting can result in "a civil money penalty by the Wage and Hour Division not to exceed \$100 for each separate offense".

- The “Equal Employment Opportunity is the Law” poster, if not publicized properly, could lead to “appropriate contract sanctions”.
- “The Secretary of Labor can bring court actions and assess civil penalties for failing to post the Employee Polygraph Protection Act (EPPA) notice”.

Aside from the FMLA posting, the DOL does not list out specific amounts that companies are fined.

Complying with the federal and state labor laws can be daunting, particularly if an organization has offices in several locations. Take the guesswork out of it by relying on McCloskey Partners to handle this for you!

We offer an automatic annual labor poster compliance service. For only \$48 a year, per set/ location, your company will receive a new set of Federal and State labor posters AND be automatically enrolled in our update service. So, if a state, federal or local poster changes or a new poster is required to be posted, you will automatically be notified and provided with the new/ revised poster.

To further discuss employment law poster compliance, contact McCloskey Partners at Jaime@McCloskeyPartners.com or 215-716-3035 x 712

Check out our website at www.mccloskeypartners.com