

OFCCP Adopts Updated “Know Your Rights” Poster for Contractors

Government Contractor Compliance & Regulatory Update on November 8, 2022

As our colleagues previously [reported](#), on October 19, 2022, the EEOC updated its “Know Your Rights” poster for employers. On October 28, 2022, the Office of Federal Contractor Compliance Programs (“OFCCP”) [notified](#) contractors that they must post the new EEOC poster, replacing the 2009 “EEO is the Law” poster and the 2015 “EEO is the Law” Supplement that contractors previously were required to post.

In announcing the update, OFCCP explained that the new “Know Your Rights” poster “summarizes the federal laws prohibiting job discrimination and explains how employees or applicants can file a complaint if they believe they have experienced discrimination.”

OFCCP further explains that the new “Know Your Rights” poster makes the following changes from the previous “EEO is the Law” posters:

1. “Notes that harassment is a prohibited form of discrimination”;
2. “Clarifies that sex discrimination includes discrimination based on pregnancy and related conditions, sexual orientation, or gender identity”;
3. “Explains protections under [Executive Order 11246](#) related to asking about, disclosing, or discussing pay”; and
4. “Eliminates the need for federal contractors to post the 2015 ‘EEO is the Law’ Supplement.”

All employers subject to equal employment opportunity (EEO) and nondiscrimination laws must display the latest “Know Your Rights” poster on their premises. While OFCCP has not announced a date by which federal contractors should post the updated “Know Your Rights” poster, the EEOC has [advised](#) that employers should post the poster “within a reasonable amount of time.”

As the OFCCP reminds contractors, “the notice must be posted prominently, where it can be readily seen by employees and applicants for employment.” Posters must also be accessible to employees working offsite, as “all applicants and employees must have a way to access the poster, either electronically or physically.”

The OFCCP's announcement also advises that "federal contractors are still required to post the [Pay Transparency Nondiscrimination Provision](#) and include it in employee handbooks and manuals." The OFCCP's Posting & Notice Requirements Guide, detailing other posting and notice requirements for contractors, can be found [here](#).

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