

Up Against the Walls: Posting Requirements in Workplace

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As you are all aware, the federal government requires that certain information be posted in every workplace. All states have additional, state-specific posting requirements. Never mind the fact that these posters often clash with your décor – you have to put them up against the wall where both employees and applicants for employment are likely to see them. So, a broom closet isn't the best place!

Under federal law, ALL private sector employers must post the following notices:

1. Notice to Employees - Federal Minimum Wage
2. Notice to Workers with Disabilities
3. Employee Polygraph Protection
4. Equal Employment Opportunity is the Law
5. It's the Law - OSHA Notice

The first three posters are available free of charge from the Department of Labor (DOL), poster four from the Equal Employment Opportunity Commission (EEOC), and poster five from Occupational Safety & Health Administration (OSHA).

Employers subject to the Federal Medical Leave Act (FMLA) are also required to post a federal notice, as are employers of migrant and seasonal agricultural workers. These are available from the DOL.

State laws also require certain postings commonly regarding state programs such as unemployment insurance and workers compensation. Many states have laws that parallel federal laws but are more generous or, as in the case of FMLA, include smaller employers. In such cases, there will be a state posting requirement. State posters are generally available free of charge from various state agencies.

Postings must be displayed where they can be seen by employees and APPLICANTS for employment. That's problematic when employees come through a back door and applicants come through the front door. Employers with multiple locations must post these notices in each workplace.

Posters, especially at the state level, are updated frequently. For example, recent changes in overtime regulations have already caused changes in many states where the new federal law might cause some to lose overtime pay.

There are fines and penalties associated with failure to post required notices. Although there are no "posting police" checking on this, if a state or federal agency visits you, there will be fines assessed if the most recent versions of required postings are not prominently displayed in your workplace(s).

State and federal postings are provided free upon request from the federal or state government. The majority can be printed out from the state or federal agency's website if you can get to the right place and have the proper size paper in your printer. OSHA, however, requires a written request for that "free" poster.

On October 5, 2004, I was notified (via e-mail by govdocs.com) that required postings in Iowa, Nebraska and North Dakota had been updated. After visiting those three state websites, for about an hour each, I still couldn't find the "free" posters. If you count labor at \$10.00 per hour, it might be more efficient and a whole lot cheaper to buy these posters instead.

In the past, I have provided you Internet addresses to research various topics but haven't knowingly recommended sites that are trying to sell a product or service. In a break with tradition, I recommend that you register with a website that provides notification services as well as offers posters at very reasonable prices. There are two sites I know of: www.govdocs.com and www.accupost.com.

I'm most familiar with govdocs.com. They have a free e-mail notification service that will notify you whenever federal or state posters are revised. You can select notification for as many states as needed. Bi-lingual posters are also available. They offer free electronic download for all Federal posters even though they sell a nice, 5-in-1, laminated poster for only \$14.99.

There are some things we should do every New Year, like changing the batteries in our smoke alarms. This year, take a look at what's up against your workplace walls. Are you positive that you have everything posted – both state and federal – as required? If so, are you equally positive that you have the most recent version of each poster? Even if you say "yes" to those two questions, are your posters clearly visible to both employees and applicants? Have they been defaced in any way? Are they yellowed and ragged? Too often, we walk past things at work and don't really see them. Take a real good look at what's up against your walls and, if necessary, start the New Year out with fresh postings.