



*This article presents general guidelines for Georgia nonprofit organizations as of 7/15/2016 and should not be construed as legal advice. Always consult an attorney to address your particular situation.*

### **Employer Posting Requirements**

Numerous state and federal laws require employers to post notices in the workplace in a location where they are accessible to employees, such as in an employee break room. Failure to post such notices is itself a violation of the particular law. See below for a list of notices that may be applicable to 501(c)(3) tax-exempt nonprofit organizations in Georgia, information about who is required to post each one, and links to the relevant posters where available.

#### **Federal Posters**

- 1. Fair Labor Standards Act (Federal Minimum Wage)**
  - This posting requirement applies to all employers.
  - <https://www.dol.gov/whd/regs/compliance/posters/flsa.htm>
  
- 2. Family and Medical Leave Act (FMLA)**
  - This posting requirement applies to all public agencies (including state, local and federal employers), public and private elementary and secondary schools, as well as private employers who employ 50 or more employees in 30 or more work weeks.
  - <http://www.dol.gov/whd/regs/compliance/posters/fmla.htm>
  
- 3. Employee Polygraph Protection Act**
  - This posting requirement applies to private sector employers and not to federal, state and local government agencies with respect to public employees.
  - <https://www.dol.gov/whd/regs/compliance/posters/eppa.htm>
  
- 4. Job Safety and Health Protection**
  - This posting requirement applies to all employers
  - <https://www.osha.gov/Publications/poster.html>
  - As of August 10, 2016, the Occupational Safety and Health Administration (OSHA) recordkeeping rules will be revised. The new rules require employers to provide specific notice to their employees of each of the following: (1) the procedure for reporting an injury or illness; (2) the employee's right to report an injury or illness; and (3) the prohibition against retaliation for such reports. Please see this webcast on our website for additional information about OSHA requirements: <http://www.pbpatl.org/resources/risk-management/safety-in-the-workplace/>.
  
- 5. Equal Employment Opportunity is the Law**
  - This posting requirement applies to contractors and subcontractors who hold a single federal contract or subcontract in excess of \$10,000, or who hold contracts or subcontracts with the federal government in any 12-month period that have a

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total value of more than \$10,000.

- <https://www1.eeoc.gov/employers/poster.cfm>

**6. Uniformed Services Employment and Reemployment Rights Act (USERRA)**

- This posting requirement applies to all employers, regardless of size.
- [https://www.dol.gov/vets/programs/userra/USERRA\\_Private.pdf](https://www.dol.gov/vets/programs/userra/USERRA_Private.pdf)

**7. National Labor Relations Act (NLRA)**

- In 2011, the National Labor Relations Board (NLRB) issued a rule requiring the posting of a notice related to “Employee Rights.” Since that time, appellate courts have delayed the enforcement of this rule. We are providing the draft notice, which is not currently required to be posted, for informational purposes.
- <https://www.nlr.gov/poster>

**8. Americans with Disabilities Act (ADA) Wellness Notice**

- The ADA applies to employers with 15 or more employees. This poster must be displayed by employers covered by the ADA that offer wellness programs collecting employee health information. The purpose of the notice is to inform employees what information will be collected, how it will be used, who will receive it, and what will be done to keep it confidential. The Equal Employment Opportunity Commission (EEOC) has published the sample notice below to help employers comply with the ADA:
- <https://www.eeoc.gov/laws/regulations/ada-wellness-notice.cfm>

Georgia Posters

**1. Georgia Workers’ Compensation Panel of Physicians**

- This posting requirement applies to all employers with three or more full or part-time employees regularly in service and in the same business. Such employers are required to have workers’ compensation insurance under Georgia law. The employer must complete and post either the Panel of Physicians, Conformed Panel of Physicians or WC/MCO Panel, as applicable.
- [http://sbwc.georgia.gov/sites/sbwc.georgia.gov/files/imported/SBWC/Files/wc\\_p1.pdf](http://sbwc.georgia.gov/sites/sbwc.georgia.gov/files/imported/SBWC/Files/wc_p1.pdf)

**2. Bill of Rights for Injured Workers**

- This posting is also required under Georgia’s workers’ compensation law. It applies to all employers with three or more full or part-time employees regularly in service and in the same business.
- [http://sbwc.georgia.gov/sites/sbwc.georgia.gov/files/board\\_forms/bor.pdf](http://sbwc.georgia.gov/sites/sbwc.georgia.gov/files/board_forms/bor.pdf)

**3. Georgia Unemployment Compensation**

- With respect to organizations with 501(c)(3) tax-exempt status, this posting requirement applies if the organization had, within either the current or preceding calendar year, four or more individuals in employment for some portion of a day in each of 20 different weeks, whether or not such weeks were consecutive and regardless of whether they were employed at the same time. Such employers are required to provide unemployment compensation.
- <http://www.dol.state.ga.us/pdf/forms/dol810.pdf>

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**4. Equal Pay for Equal Work Act**

- This posting requirement applies to all Georgia employers.
- <http://dol.georgia.gov/documents/poster-equal-pay-equal-work-act-85x11>

**5. Employer Vacation**

- This posting requirement applies to all Georgia employers.
- <http://www.dol.state.ga.us/pdf/forms/dol154.pdf>

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