



*This article presents general guidelines for Georgia nonprofit organizations as of April 2023 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>
  - . Please see this article on our website for additional information about OSHA requirements: <https://pbpatl.org/safety-in-the-nonprofit-workplace/>.
- 5. Equal Employment Opportunity Commission “Known Your Rights”**
  - 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 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) Employee Rights notice**
  - This posting requirement applies to all employers who are federal contractors and subcontractors.
  - <https://www.nlrb.gov/news-publications/publications/employee-rights-notice-posting>

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## **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 Official Notice**

- 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.
- [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. Georgia Workers' Compensation Panel of Physicians or WC/MCO Panel, as applicable.**

- One of these postings is 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.
- The WC/MCO Panel form should be used only by employers contracted with a Board-Certified Managed Care Organization
- <https://sbwc.georgia.gov/publications-and-forms/forms/board-forms>

## **3. Georgia Workers' Compensation Bill of Rights**

- 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.
- <https://sbwc.georgia.gov/publications-and-forms/forms/board-forms>

## **4. Georgia Unemployment Insurance**

- 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.
- <https://dol.georgia.gov/laws-and-rules/gdol-required-workplace-posters>

## **5. 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>

## **6. Employer Vacation**

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

Note that if you are not a Georgia nonprofit organization, or if you have offices or employees outside of Georgia, the state-required posters may be different from those listed above.

The Georgia Department of Administrative Services has developed a website with easy access to some, but not all, federal and state required posters in English and Spanish: <https://doas.ga.gov/human-resources-administration/hr-tools/workplace-posters>. Note that this website may not contain a comprehensive listing of all required postings. Additionally, there are several companies who consolidate posting requirements into one poster for a fee. Organizations have a responsibility to ensure that they are complying with all postings and should not rely solely on these commercial resources. These names are

provided for information only and are not endorsed by Pro Bono Partnership of Atlanta:

- [www.laborlawcenter.com](http://www.laborlawcenter.com)
- [www.posterguard.com](http://www.posterguard.com)
- [www.laborlawhrsins.com](http://www.laborlawhrsins.com)

Finally, in a post-COVID work environment, employers may wonder how to satisfy posting requirements when some or all employees are working remotely. In December 2020, the U.S. Department of Labor issued guidance stating that posting can be done electronically only when (1) all employees exclusively work remotely; (2) all employees customarily receive information from the employer via electronic means; and (3) all employees have readily available access to the electronic posting at all times. More information regarding electronic posting requirements can be found here: [Federal Postings Are Still Required for Remote Workplaces \(pbpatl.org\)](https://www.pbpatl.org/federal-postings-are-still-required-for-remote-workplaces).