

ATTENTION:

New York Electronic Posting Requirement



As of **December 16, 2022**, New York employers must make labor law posters and other posted documents available electronically. In addition, employers must continue to display physical labor law posters.

The electronic posting requirement may be met through posting on the employer's website or by email.

Employers must notify employees that the postings are available electronically.

What do New York employees need to make available electronically?

All documents required to be physically posted at a worksite under state or federal law must be made electronically available.

How do J. J. Keller's electronic labor law posters help employers fulfill this requirement?

The electronic federal and state labor law posters from J. J. Keller include the labor law posting documents that must now be electronically displayed. They fulfill the labor law posting portion of this requirement.

Our posters do not include company-specific documents, state notices, or the Federal E-Verify poster. Because the law encompasses all documents that must be posted, the employer should also provide an electronic link to these documents that are not on the J. J. Keller labor law poster:

- The company's workers' compensation Notice of Compliance supplied by the employer's insurance carrier
- The Paid Family Leave notice supplied by an employer's insurance carrier
- The company's policy on sick leave, vacation, personal leave, holidays, and hours
- Guidelines Regarding the Rights of Nursing Mothers to Express Breast Milk in the Workplace, LS702 ([ny.gov](https://www.ny.gov))
- Guidelines for Implementation of Employee Blood Donation Leave, LS703 ([ny.gov](https://www.ny.gov))
- A copy of the company's sexual harassment policy
- A schedule of work hours for minors
- The OSHA 300A Summary must be posted between February 1 and April 30 if an employer has more than 10 employees
- E-Verify and Right to Work posters, if an employer participates in E-Verify
- All postings required under a federal contract, if the company is a federal contractor

In addition, employers must provide employees with a notice in writing containing their rate of pay and payday.

Do physical posters still need to be displayed in New York?

Yes, the electronic posting requirement does not replace the requirement to display physical posters in the workplace. Electronic posting is required in addition to physical posting.

What happens if an employer does not display posters electronically?

An employer that does not satisfy the electronic posting requirement could face state fines.

Non-compliance with the law could also increase an employer's risk of losing a lawsuit brought by an employee. Failure to comply with the electronic posting requirement could be used as evidence when an employer faces allegations of other workplace violations.

Where is this requirement in the law?

New York Labor Code § 201 states:

Laws and orders to be posted. Wherever persons are employed who are affected by the provisions of this chapter or of the industrial code, the commissioner shall furnish to the employer copies or abstracts of such provisions, rules and orders as he may deem necessary affecting such persons. The copies or abstracts shall be in such language as the commissioner may require and shall be kept posted by the employer in a conspicuous place on each floor of the premises. Digital versions of such copies and abstracts shall also be made available through the employer's Website or by email. Employers shall provide notice that documents required for physical posting are also available electronically. All other documents required to be physically posted at a worksite pursuant to state or federal law or regulation shall also be made electronically available in the manner described pursuant to this section.