

Client Alert

November 2009

NEWS ALERT: EEOC HAS NEW POSTING REQUIREMENTS

The Equal Employment Opportunity Commission (EEOC) has a new version of its "Equal Employment Opportunity is the Law" poster. The new poster includes information related to changes in the Americans with Disabilities Act (ADA) and the relatively new Genetic Information Nondiscrimination Act (GINA). Primarily, the poster was revised to reflect the new rules under GINA which become effective November 21, 2009.

GINA prohibits discrimination against employees or applicants because of genetic information. The EEOC's position is that an employer may not use genetic information to make an employment decision, because the genetic information does not tell an employer about a person's current ability to work. The EEOC is providing three ways in which an employer may comply with the new posting requirements:

- 1) Print a supplement and post it alongside the EEOC's September 2002 "EEO is the Law" poster or OFCCP's August 2008 "EEO is the Law" poster. The supplement may be found at: http://www.eeoc.gov/employers/upload/eeoc_gina_supplement.pdf
- 2) Print and post the EEOC's November 2009 version of the "EEO is the Law" poster. This poster may be located at: http://www.eeoc.gov/employers/upload/eeoc_self_print_poster.pdf
- 3) Order a new poster through the EEOC Clearinghouse. The EEOC states that the poster is on backorder. Nevertheless, an order may be submitted to U.S. Equal Employment Opportunity Commission Clearinghouse, P.O. Box 541, Annapolis Junction, MD 20701.

If you have any questions about compliance with the new requirements or amendments to your current employment policies, we are available to assist you.

ABOUT HBSS

Hall Booth Smith & Slover is a full-service and diverse law firm with eight regional offices in Georgia, Tennessee and South Carolina. The firm's practice areas are focused and diverse, and include complex civil defense litigation, employment, mass torts, medical malpractice, healthcare, regulatory and governmental matters, and international law.

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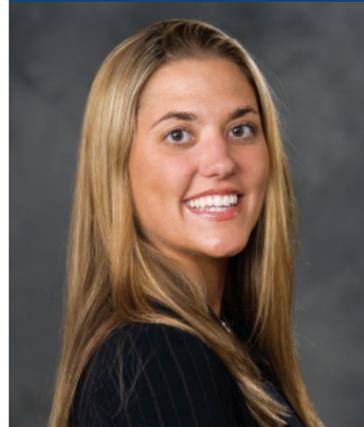
RICHARD SHEINIS
P: 404.954.6954
F: 678.539.1507
RSHEINIS@HBSS.NET

RICHARD SHEINIS has been litigating in various courts for over twenty-six (26) years. He has been the first chair for approximately 175 jury trials. He represents business organizations in discrimination and other employment matters. Richard is licensed in Georgia, Tennessee and North Carolina.



HEATHER SAUM
P: 404.954.6966
F: 678.539.1613
HSAUM@HBSS.NET

HEATHER SAUM is a Senior Associate with over 11 years of litigation experience. She represents employers in claims involving Title VII, FLSA, FMLA, ADEA, and ADA. She has an interest in litigation prevention through on-site training and investigation, however when litigation is necessary, her experience handling discrimination and harassment cases enables her to provide a valuable service to our clients from investigation through trial. Heather is licensed in Georgia and Mississippi.



NICHOLE HAIR
P: 404.954.6952
F: 404.954.5020
NHAIR@HBSS.NET

ASSOCIATE NICHOLE HAIR brings experience representing public and private employers in harassment and discrimination claims involving Title VII, FLSA, FMLA, ADEA, and ADA. She provides both

litigation expertise and experience in litigation prevention through on-site investigation, discrimination, and harassment training for managers and employees. She is licensed in Georgia and is an active member of the Georgia Association of Women Lawyers.