

Legal Update Article

New York City Employers Must Make Room for Another Notice Distribution and Posting Requirement

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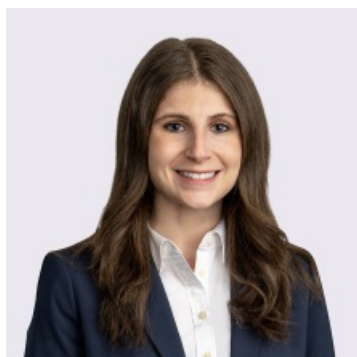
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New York State and City law already impose a myriad of posting and notice distribution requirements on New York City employers. Beginning July 1, 2024, New York City employers must distribute to employees and “conspicuously post” a notice provided by city agencies that lists employee rights under federal, state, and local law. The notice will identify which laws apply to workers regardless of immigration status and include information about union organizing right.

New employees must be provided this notice on or before the employee’s first day of work. Businesses that operate online and cannot physically post the notice must comply by posting the notice online where its employees can see. Notices must be provided in English, as well as any language spoken as a primary language by at least five percent of an employer’s employees.

This notice and distribution requirement is part of the City’s “Workers’ Bill of Rights,” [Int. 569-B](#), which was passed by the New York City Council on Nov. 2, 2023. On Dec. 4, 2023, Mayor Eric Adams returned the bill. As a result, it became law.

The Department of Consumer Affairs and Worker Protection (DCWP), the Mayor’s Office of Immigrant Affairs (MOIA), the New York City Commission on Human Rights (NYCCHR), and various employees’ rights groups are preparing the notice to be posted. The notice is scheduled to be published on the City’s website by March 1, 2024.

No later than March 1, 2024, the DCWP, MOIA, NYCCHR, and employees’ rights groups and organizations will also begin conducting outreach about the Workers’ Bill of Rights to employees, prospective employees, and independent contractors in New York City.

After an initial violation of the law, employers that fail to follow the notice and posting requirements will be subject to a \$500 civil penalty. Employers must also correct any violations within 30 days of receiving notice from the commissioner of the DCWP.

More importantly, this upcoming obligation reminds employers of the need to be vigilant on compliance as the notice likely will remind employees of their rights and can encourage administrative and court claims asserting non-compliance. Further, employers that wish to remain union-free must focus on positive employee relations strategies.

Please contact a Jackson Lewis attorney with any questions about this or other workplace issues.

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