

NEW YORK LAW NOW REQUIRES ELECTRONIC VERSIONS OF ALL MANDATORY WORKPLACE POSTINGS

Hodgson Russ Labor & Employment Alert
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Governor Kathy Hochul recently signed legislation amending Section 201 of the Labor Law (“Section 201”). Employers must now make all mandatory New York workplace postings available to employees electronically. The law, which seems to have been inspired by the continued prevalence of remote work throughout New York State, took effect immediately upon signing on December 16, 2022.

Before the amendment, Section 201 required New York employers to post hard copies of New York State Department of Labor notices and posters in conspicuous places at the worksite. The amendment added language requiring all such postings – as well as any other “document[s] required to be physically posted at a worksite pursuant to state or federal law or regulation” – also be provided to employees electronically. Specifically, employers are required to provide these postings “through the employer’s website or by email.” Employers are also required to provide notice to employees “that documents required for physical posting are also available electronically.”

In view of this new legislation, employers of employees in New York State, including employers located outside of New York that have remote employees who work in New York, should take the following steps:

- Review current posting requirements under federal, state, and local law and ensure that all required postings – including any non-English language translations required by law – are appropriately posted.
- Prepare electronic copies of all mandatory workplace postings and distribute them to employees by email or on an internal or external website.
- Notify employees that all required postings are available both physically and electronically.
- Consider any administrative steps that will help ensure and demonstrate ongoing compliance with these new requirements.

If you have questions on posting obligations that apply to your business, please contact [Charles H. Kaplan](#) (646.218.7513), [Kinsey A. O’Brien](#) (716.848.1287), or any other member of our [Labor & Employment Practice](#).

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