

## Poster Regulations FAQ's

### 1. What do the new and amended regulations address and why should my entity be aware of these [regulations](#)?

On August 1, 2022, the New Jersey Division on Civil Rights (DCR) adopted new and amended regulations to increase the visibility and effectiveness of posters that the State requires employers, housing providers, and places open to the public, also known as places of public accommodation (PPA), to display posters to inform people of their rights under New Jersey's Law Against Discrimination (LAD) and Family Leave Act (NJFLA).

The [LAD](#) prohibits discrimination and harassment based on actual or perceived race, religion, national origin, gender, sexual orientation, gender identity or expression, disability, and many other protected characteristics. The law applies in employment, housing, and places of public accommodation (generally, places open to the public, including businesses, restaurants, schools, summer camps, medical providers, etc.). Under the LAD, an employer, housing provider, or place of public accommodation must not discriminate and must act to stop bias-based harassment if it knows or should have known about it. The [NJFLA](#) generally allows certain employees to take up to twelve (12) weeks of family leave in a twenty-four (24) month period without losing their employment.

The [posters](#) inform people of their rights under the LAD and the NJFLA. You and your entity should be aware of these posters because they are required by law and compliance is mandatory or you may incur a fine. Additionally, these posters are educational tools to inform everyone in New Jersey of their rights, protections and responsibilities under the law. The new and amended rules provide additional ways in which employers and housing providers may satisfy their obligations to inform individuals in New Jersey of their rights related to the LAD and NJFLA.

The posters also help covered entities understand their responsibilities under the LAD and the NJFLA and the LAD identifies the purpose of the posters as informing individuals of their rights and entities their responsibilities. Finally, the posters will direct people to contact DCR in order to [file a complaint](#) and help individuals determine whether their rights were violated and, if they were, how to seek redress.

## **2. When do these regulations go into effect?**

The new, and amended regulations went into effect on August 1, 2022. All covered businesses, employers, and housing providers are required by law to display the required posters. If you have prior versions of these posters displayed, please remove them and replace them with the new, updated and amended posters, which can be found [here](#).

## **3. I am an alternative treatment center providing substance abuse outpatient services, do I need to comply with these regulations?**

Yes. Alternative treatment centers are medical facilities that are a place of public accommodation under the LAD. Dispensaries, clinics, and other types of medical facilities are also a place of public accommodation. Under the regulations, your entity must display the alternative treatment center “Know Your Rights” poster, which can be found [here](#).

## **4. My company does not have a physical place of business and therefore my employees never report to a physical location. They use their own vehicles and work remotely full time. Since I do not have a physical location, do these rules apply to my company?**

Yes. The Division appreciates that some companies have transitioned to remote work due to the pandemic. In addition, some businesses never had a physical place of business. As an employer that does not have a physical space, you can satisfy the requirements by displaying the required posters on an internet site or intranet site which is frequented by all of your employees, to which all employees have access, and where you customarily display notices to employees.

Please note that employers are required to provide each employee with a written copy of the official LAD employment poster: 1) annually on or before December 31<sup>st</sup> of each year; and 2) upon the first request of an employee. Employers can provide each employee with a written copy of the official employment poster annually in at least three ways: email, printed material, or posting on the internet/intranet site if the site is for the use of all employees, can be accessed by all employees, and the employer provides notice to the employees of its posting.

All employers are required to display the [updated employment poster](#) in a place that is easily accessible to all employees and prospective employees. State and local government agencies, and employers with at least 30 employees worldwide, must also display the [NJFLA poster](#).

**5. I am an urgent care franchisee and I display many posters and materials required by my franchisor. I am under advisement by my urgent care franchise that I am not permitted to display any posters that are not provided by them directly. Am I violating the law if I do not display DCR's posters?**

Yes, you are in violation of the regulations if you fail to display the required DCR posters. Pursuant to the regulations, all urgent care facilities must display the required "Know Your Rights" poster for emergency and trauma facilities, which is required by hospitals, urgent care centers, vaccination and testing sites, and ambulatory care centers poster in places that are easily accessible to all patients or potential patients. This includes, but is not limited to a location near each entrance through which the public can enter or exit and all public waiting rooms. You may also choose to display the posters in other locations, including individual treatment rooms or on a digitally accessible platform code (for example a QR Code) posted in plain view around the facility. To view the required poster, [click here](#).

**6. My hospital currently displays DCR's general place of public accommodation poster in the lobby. Do I need to replace the general poster with one of the specific medical facilities "Know your Rights" poster?**

Yes. Hospitals must display the specific emergency and trauma facilities "Know Your Rights" poster, which includes hospitals, urgent care centers, vaccination and testing sites, and ambulatory care centers in places that are easily accessible to all patients or potential patients. This includes, but is not limited to, a location near each entrance through which the public can enter or exit and all public waiting rooms. You may also choose to display this poster in other locations, including individual treatment rooms or on a digitally accessible platform code (for example a QR Code) posted in plain view around the facility. To view the required poster, [click here](#).

The Division has created six (6) official medical and healthcare entity posters:

- The [pre and postnatal facilities poster](#), including OB/GYN providers, birthing centers, doula and midwife providers, and fertility clinics.
- The [mental health facilities poster](#), including, rehabilitation or treatment facilities, state or local psychiatric hospitals, and harm reduction service providers.
- The [emergency and trauma facilities poster](#), including hospitals, urgent care centers, vaccination and testing sites, and ambulatory care centers.
- The [long- and short-term care facilities poster](#), including independent living facilities, nursing homes, rehabilitation centers, and adult day care facilities.
- The [alternative treatment centers poster](#), including harm reduction centers, and medicinal marijuana dispensaries.
- The [licensed professional facilities poster](#), including doctor's and dental offices,

pharmacies, clinics, acupuncturist office, and therapy offices.

You are required to display the [emergency and trauma facility poster](#). However, if you believe that your patients will benefit from viewing the updated [public accommodations poster](#) and the [long- and short-term care center poster](#) as well, you are permitted to display all three.

**7. I own and manage rental homes, mostly seasonally, that I rent to people on the Jersey Shore. Am I required to display these posters; if so, which ones? I am unsure as to which of the two (2) housing posters apply to me if at all.**

Yes, as a housing provider you are required to display these posters. If an entity engages in both the sale and rental of real property and engages in management of residential real property, the entity shall display both the official sales and rental housing poster and the official property management housing poster, in places easily visible to all actual and prospective tenants, purchasers, and residents.

Housing providers are also required to provide residents with a copy of the poster on an annual basis and at any point upon the request of a resident.

You can find the sales and rental poster [here](#).

You can find the property management poster [here](#).

**8. What if I fail to display the posters for any reason?**

Failure to display the required posters can cause you to incur fines up to \$10,000.

**9. There are so many posters! How do I know which one applies?**

The Division has created category specific flowcharts to help you determine which poster(s) to display, if any, you are required to display.

- Housing Flowchart [here](#).
- Employer Flowchart [here](#).
- Place of Public Accommodation Flowchart [here](#).
- Medical and Healthcare Entity Flowchart [here](#).

**Additional DCR Resources**

To find out more about DCR or to [file a complaint](#), go to [NJCivilRights.gov](#) or call 973-648-2700. DCR enforces the NJ Law Against Discrimination, the NJ Family Leave Act, and the Fair Chance in Housing Act.