



DEPARTMENT OF TRANSPORTATION

BULLETIN BOARD GUIDANCE

February 17, 2026

Abstract

South Dakota Department of Transportation's bulletin board guidance is provided to ensure contractors on SDDOT projects are complying with state and federal requirements.

These requirements apply to all contracts, including those already active.

Bulletin Board Requirements

Federal Highway Administration (FHWA)

[23 CFR Appendix-A-to-Subpart-A-of-Part-230 4.b.\(1\)](#) requires all notices and posters be placed on all federal-aid projects in areas readily accessible to employees and potential employees.

US Department of Labor (USDOL)

[41 CFR 60 4.3.a.\(7\)\(f\)](#) requires that bulletin boards must be located on project sites where construction work is performed.

Specific posting requirements vary by poster. USDOL maintains an extensive list of [workplace posting requirements, penalties for not posting](#), and [FAQs](#).

These resources outline the following:

- Posters must be placed in a **prominent location**.
- Posters must meet **size requirements**.
- All posters must be **provided in languages other than English (i.e., Spanish)** if there are employees present with Limited English Proficiency (LEP).
- The **Family Medical Leave Act (FMLA) poster** must be posted if the **contractor has 50 or more employees** in the entire company and 50 or more employees are working within 75 miles of the project site.

Purpose

The purpose of the required notices and posters is to convey to contractors' employees and potential employees the protections and privileges to which they are entitled.

Responsibility

Prime Contractors will be responsible for erecting a bulletin board prior to work commencing on a project. This board represents the Prime and each Subcontractor on the project.

- Posted in a safe location
- Accessible to all current and potential employees
- Available during both working and non-working hours (24/7)

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- Board(s) must be large enough to accommodate all necessary posters in a single layer.
 - Posters **may not** be stapled on top of each other or overlapped.
- Board(s) must be weatherproof to protect posters from wind, water, and sun damage.
 - Boards must have durable clear covering (e.g., *Plexi-glass or clear vinyl*) to protect posters from wind and rain but allow for employees to still read the posters.
 - *Lamination of the posters **Does Not** constitute a durable clear covering.*
 - Boards must be accessible (e.g., *able to open or remove protective covering*) to add new posters or update current posters.
 - Boards must be mounted a minimum of 24” above the ground.

Note: To help keep the posters safe from water damage, it's a good idea to seal the top of the bulletin board.

The bulletin board should only be removed once **all** work is completed on the project.

- If the prime contractor has completed all their work and only subcontractor work remains, the bulletin board must stay on-site.

Location

Bulletin Boards must be posted on project sites in a safe location near where the work is being performed. If multiple boards are used, all boards must be in one location.

For contracts that have multiple projects occurring at the same time over a large geographical area, bulletin boards must be posted at each active project site.

Acceptable locations include:

- Areas where employees are likely to gather (e.g., *contractor's field office, staging areas, parking locations*)
- Along roadways within the project (If posting along roadways, boards must be parallel to the roadway)
- For mobile operations (e.g., pavement marking, route and seal, signing operations) contractors may place posters in a three-ring binder which will be kept in the project manager's / superintendent's vehicle.
 - ***The binder must be made available to any person upon request.***

Unacceptable locations:

- Next to a project lab trailer that **only** DOT staff use or that is not located in the contractor's yard or plant site.
- Stockpile locations where staff or employees **do not** gather.
- Inside the contractor's field trailer or vehicle (*acceptable for mobile operations only*).

The bulletin board location will be discussed and documented at the preconstruction meeting.

NOTE: In conjunction with the general location the contractor will ensure reasonable accessibility to the project bulletin board by keeping the area in front free from obstacles and excessive vegetation growth.

Content

The content posted on the bulletin boards will be broken out into three categories which are listed below. This information is also available on the SDDOT's website: <https://dot.sd.gov/doing-business/contractors/labor-compliance/bulletin-board-requirements/>

A packet of the required posters will be given to the prime contractor at the pre-construction meeting. With the EEO #7 poster, the contractor must ensure they have enough posters for each subcontractor that will be utilized on the project.

- For the EEO #7 poster, the information can either be handwritten on the original poster or typed and printed on the backside of the poster utilizing the **DOTs Fillable EEO #7 template**. If the EEO #7 is printed on standard printer paper, the form **MUST** be laminated for durability prior to posting on the weatherproof bulletin board.
 - *To ensure long-term legibility and durability, it is recommended to complete the EEO #7 form using the DOT Fillable EEO #7 template. Handwritten entries made with pen may fade over time, potentially requiring more frequent replacements.*

Below are the poster requirements for each project type:

1. Federal-aid construction contracts exceeding \$2,000:
 - The board will contain all items outlined on **Attachment 1: Federal-aid Construction Contracts**
2. Non-Federal-funded construction contracts awarded for \$100,000 or more:
 - The board will contain all items outlined on **Attachment 2: Non-Federal-funded Construction Contracts**
3. Non-Federal-funded construction contracts awarded for less than \$100,000:
 - **None**

Bulletin Board Inspection Process

SDDOT staff will ensure that the bulletin board meets requirements for accessibility, availability and legibility prior to work beginning on the project.

The Prime Contractor has the responsibility to inspect bulletin board(s) **monthly** to ensure the board is compliant. Any issues that are found by the contractor should be addressed immediately.

- Boards will not need inspection during winter shutdown periods.

Bulletin boards that are found to be in non-compliance may result in project sanctions (i.e., suspension of progress payments) until the issues are resolved.

Attachment 1: Federal-aid Construction Contracts

Below are the bulletin board poster requirements for **Federal-aid** Construction Contracts **exceeding \$2,000**:

(Copies of all posters should be obtained from the DOT Area Office)

[SDDOT Bulletin Board Requirements webpage](#) (links to all bulletin board posters)

- U.S. DOL Davis-Bacon Wage Decision posters
 - Projects let on or after **February 18, 2026** (English and Spanish)
 - Projects let on or after **April 5, 2023** (English and Spanish)
- WH-1321 Davis-Bacon Employee Rights (English, Revised July-2024)
- WH-1321 Davis-Bacon Employee Rights (Spanish, Revised July-2024)
- FHWA-1022 “Notice” poster (English, Revised May-2015)
 - (Whoever knowingly makes any false statement or false representation or false claim in any statement, certificate or report; shall be fined under Title 18 USC Section 1020 or imprisoned not more than five years, or both.)
- FHWA-1022 “Notice” poster (Spanish, Revised May-2015)
- Equal Employment Opportunity Commission Know Your Rights (English) **Front and Back**
- Equal Employment Opportunity Commission Know Your Rights (Spanish) **Front and Back**
- OSHA-3165 Job Safety & Health Protection (English, Revised 2015)
 - *Older Versions Acceptable*
- OSHA-3165 Job Safety & Health Protection (Spanish, Revised 2015)
 - *Older Versions Acceptable*
- WH-1462 Employee Polygraph Protection Act (English, Revised February-2022)
- WH-1462 Employee Polygraph Protection Act (Spanish, Revised February-2022)
- WH-1420 Your Rights Under the Family Medical Leave Act (English, Revised April-2023)
 - (1420 poster is not commonly required to be posted on project site bulletin boards. If a company employs more than 50 employees and 50 or more employees of this company are working within 75 miles of the project site, this poster is required to be posted. If your company meets this requirement, please print and post the WH-1420 poster on the project bulletin board.)
 - *Older Versions Acceptable*
- WH-1420 Your Rights Under the Family Medical Leave Act (English, Revised April-2023)
 - *Older Versions Acceptable*
- EEO #7 Notice
 - Must be completed for the contractor and each subcontractor whose subcontract is greater than \$10,000.

Attachment 2: Non-Federal-funded Construction Contracts

Below are the bulletin board poster requirements for **Non-Federal-funded** Construction Contracts awarded for **\$100,000 or more**:

(Copies of all posters should be obtained from the DOT Area Office)

[SDDOT Bulletin Board Requirements webpage](#) (*links to all bulletin board posters*)

- U.S. DOL Davis-Bacon Wage Decision posters
 - Projects let on or after **February 18, 2026** (English and Spanish)
 - Projects let on or after **April 5, 2023** (English and Spanish)
- WH-1321 Davis-Bacon Employee Rights (English, Revised July-2024)
- WH-1321 Davis-Bacon Employee Rights (Spanish, Revised July-2024)
- Equal Employment Opportunity Commission Know Your Rights (English) **Front and Back**
- Equal Employment Opportunity Commission Know Your Rights (Spanish) **Front and Back**
- OSHA-3165 Job Safety & Health Protection (English, Revised 2019)
 - *Older Versions Acceptable*
- OSHA-3165 Job Safety & Health Protection (Spanish, Revised 2019)
 - *Older Versions Acceptable*
- WH-1462 Employee Polygraph Protection Act (English, Revised February-2022)
- WH-1462 Employee Polygraph Protection Act (Spanish, Revised February-2022)
- WH-1420 Your Rights Under the Family Medical Leave Act (English, Revised April-2023)
 - (1420 poster is not commonly required to be posted on project site bulletin boards. If a company employs more than 50 employees and 50 or more employees of this company are working within 75 miles of the project site, this poster is required to be posted. If your company meets this requirement, please print and post the WH-1420 poster on the project bulletin board.)
 - *Older Versions Acceptable*
- WH-1420 Your Rights Under the Family Medical Leave Act (English, Revised April-2023)
 - *Older Versions Acceptable*

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Preconstruction Meeting Poster handout.

At the preconstruction meeting the contractor may be given a Bulletin Board Poster handout to be used as a guide for required posters and suggested placement on the board. Depending on the project some shown postings may be “X’d Out” and not required. EEO7s, permits and other posting may be required beyond what is shown.

BULLETIN BOARD POSTER SET 2026

Davis-Bacon Wage Decision (Projects let on or after February 18, 2026)

English		Spanish	

Examples of Acceptable Bulletin Boards



(Metal Cabinet that is weatherproof and easily accessible to replace forms)

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(Bulletin board has metal frame with plexiglass covering)



(Bulletin board has plexiglass covering attached to 2x4 frame which meets weatherproof guidance, *but the bulletin board should be 24" off the ground*)