



News

Andrew Gordon and Jessica Turner Review Compliance with Florida's "Stop WOKE Act"

March 15, 2022

Hinshaw attorneys Andrew Gordon and Jessica Turner discuss in a *Daily Business Review* byline the passage of the Florida "Stop WOKE ACT." The legislation, which has been sent to Florida Governor Ron DeSantis for signature, could make Florida the first state in the country to prohibit certain types of training in the workplace, creating traps for businesses who fail to adhere to a new law that could essentially end popular diversity and inclusion training programs.

The controversial bill bans, among other things, the teaching of critical race theory, which addresses systemic racism in the United States. The act applies to both school and the workplace. With respect to the workplace, the act covers businesses with at least 15 employees, and states that an employee may sue their employer for discrimination if the employer attempts to establish a training program that discusses Black history, LGBTQ+ issues, and other concepts of injustice and discrimination. The act targets training sessions that would lead people to think that they bear personal responsibility for historic wrongs because of their race, color, sex or national origin. Further, the act bans training sessions in the workplace that compel people to believe that they are "morally superior" to members of another race, color, sex or national origin or that any race, color, sex or national origin is oppressed or privileged.

The authors note that Florida employers will have to tread very lightly when it comes to diversity and inclusion training, if the act is signed into law. The act does not outright ban diversity and inclusion training, but employers will have to walk a thin line to promote diversity and inclusion without endorsing any of the concepts above as it provides many avenues for employees to sue for discrimination. The authors strongly encourage employers to consult with their attorneys before having any diversity and inclusion training at the workplace. Any diversity and inclusion training program that makes an individual feel guilty or uncomfortable could be considered an unlawful employment practice and could subject a company to legal action under the act.

[Read the full *Daily Business Review* article \(subscription required\)](#)

"Stop WOKE Act: The End to Workplace Diversity & Inclusion Training in Florida?" was published by *Daily Business Review* on March 10, 2022.

Attorneys

Andrew M. Gordon

Service Areas

Labor & Employment

Offices

Ft. Lauderdale