

WHAT IS THE STOP WOKE ACT?

HB7, commonly known as the **Stop Woke Act**, is a law that amends the Florida Civil Rights Act to make it unlawful for employers to host mandatory employee trainings that promote certain concepts related to discrimination, diversity, equity, and inclusion. The law targets diversity trainings that promote ideas such as unconscious bias, racial colorblindness, and white privilege.

FAQ

Q: Who is covered by the law?

A: Public and private employers with 15 or more employees in the State of Florida are covered by this law.

Q: When does the law go into effect?

A: The law is set to go into effect on July 1, 2022.

Q: Have there been lawsuits challenging the law?

A: Yes. A group of plaintiffs filed a lawsuit in federal court arguing that the law is unconstitutionally vague and violates employers' freedom of expression under the First Amendment. The plaintiffs requested a preliminary injunction that would stop the law from going into effect on July 1, but the court denied this request.

Q: What are the potential penalties for noncompliance?

A: Employees who believe their employer subjected them to unlawful diversity trainings may file a Charge of Discrimination with the Florida Commission on Human Relations (FCHR), and thereafter potentially pursue an administrative or civil action against the employer under the FCHR for money damages, including attorneys' fees, compensatory damages for mental anguish, loss of dignity, and other intangible injuries, and punitive damages capped at \$100,000.

Q: How can employers comply with the law?

A: Voluntary diversity trainings are not affected by HB7. It appears employers can still pursue their diversity initiatives, move forward with their strategic plans, and require employee attendance at diversity trainings, as long as the training is provided in an objective manner without endorsement of prohibited concepts. Employers should carefully review the content of such presentations to ensure compliance with the law.

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STILL HAVE QUESTIONS? WE CAN HELP!

Services our Diversity, Equity & Inclusion Practice Group offer include:

- Reviewing policies, procedures, and training materials to ensure compliance with HB7.
- Drafting disclaimers and employee acknowledgements stating that trainings do not violate HB7.
- Providing trainings and workshops compliant with HB7.
- Answering all of your questions about how this new law applies to your business.
- Guiding your business through the process of developing, implementing, and pursuing a strategic diversity initiative with the goal of creating an inclusive workforce where your employee feel a sense of belonging and can bring their whole self to work.

Contact Us

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