

STATE OF HAWAI'I KA MOKU 'ĀINA O HAWAI'I

DEPARTMENT OF THE ATTORNEY GENERAL

KA 'OIHANA O KA LOIO KUHINA

JOSH GREEN, M.D.

GOVERNOR *KE KIA'ĀINA*

ANNE LOPEZ ATTORNEY GENERAL LOIO KUHINA

ATTORNEY GENERAL LOPEZ ISSUES MULTISTATE GUIDANCE FOR BUSINESSES ON DIVERSITY, EQUITY, INCLUSION AND ACCESSIBILITY EMPLOYMENT INITIATIVES IN THE WORKPLACE

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HONOLULU – Attorney General Anne Lopez has joined a coalition of 16 attorneys general in issuing guidance to help businesses, nonprofits, and other organizations understand the viability and importance of diversity, equity, inclusion and accessibility policies and practices in creating and maintaining legally compliant and thriving workplaces.

The guidance comes in response to concerns from employers following a Trump Administration Executive Order that purportedly targets "illegal DEI and DEIA policies."

"Contrary to what the Trump administration is telling people, efforts to seek out and support diversity, equity, inclusivity and accessibility in the workplace are not illegal and the federal government cannot prohibit these efforts in the private sector through an executive order. I will continue to stand alongside other attorneys general to fight for inclusive policies," said Attorney General Lopez.

The federal government has recently targeted private sector diversity, equity, inclusion and accessibility policies and practices through an Executive Order directing agencies Department of the Attorney General News Release 2025-24 Page 2

to "combat illegal private-sector DEIA preferences, mandates, policies, programs, and activities." The coalition's guidance reminds organizations that these initiatives are not the same as illegal hiring or promotional preferences to individuals based on protected characteristics. For decades, state and federal courts have consistently recognized that diversity, equity, inclusion and accessibility policies do not amount to unlawful discrimination.

Instead, diversity, equity, inclusion and accessibility practices focus on ensuring that businesses can recruit, hire, and retain qualified employees, and that workplaces provide support needed for all employees to develop their skills and contribute to the success of the business.

Joining Attorney General Lopez in issuing this guidance are the attorneys general of Arizona, California, Connecticut, Delaware, Illinois, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, New York, Rhode Island, Oregon and Vermont.

The diversity, equity, inclusion and accessibility guidance document is here.

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Media contacts:

Dave Day Special Assistant to the Attorney General Office: 808-586-1284 Email: <u>david.d.day@hawaii.gov</u> Web: http://ag.hawaii.gov

Toni Schwartz Public Information Officer Hawai'i Department of the Attorney General Office: 808-586-1252 Cell: 808-379-9249 Email: <u>Toni.E.Schwartz@hawaii.gov</u> Web: <u>http://ag.hawaii.gov</u>