

Legislative Update MAY 2025*

Disclaimer: This Legislative Update contains general information compiled as a service for MVSHRM members. MVSHRM cannot accept responsibility for any errors or omissions or any liability resulting from the use or misuse of any such information. For specific legal advice, please contact counsel. Thank you for your understanding.

TRUMP ADMINISTRATION ACTIONS IN 2025 AFFECTING HR PROFESSIONALS

The Trump Administration has taken actions this year which impact the HR profession, including:

February 5th: Attorney General Pam Bondi issued a memo regarding the execution of EO 14173 as it relates to private-sector companies. Bondi said the U.S. Department of Justice (DOJ) would begin evaluating enforcement mechanisms of the DEI EOs against private-sector companies. The memo directed the DOJ's Civil Rights Division and Office of Legal Policy to jointly submit a report with recommendations for "measures to encourage the private sector to end illegal discrimination and preferences, including policies relating to DEI and DEIA [diversity, equity, inclusion, and accessibility]." Information about the resulting report has not been made public.

What It Means for HR: HR professionals in the private sector must prepare for increased scrutiny regarding their organizations' inclusion and diversity (I&D) initiatives.

February 21st: A U.S. District Court judge preliminarily blocked several challenged provisions of the DEI EOs. A federal district judge in Maryland temporarily halted enforcement of provisions in DEI EOs that applied to private companies; however, the injunction was subsequently lifted.

What it Means for HR: The temporary injunction -- and its reversal -- adds uncertainty for employers navigating DEI compliance. HR teams should continue to closely monitor legal developments related to these executive orders and review company I&D policies to ensure they align with current enforcement standards while remaining adaptable to potential changes.

March 14th: The 4th U.S. Circuit Court of Appeals lifted a nationwide injunction on the DEI EOs. The 4th Circuit allowed the DEI EOs to be enforced while litigation continues. The three judges said that while these orders and accompanying actions could ultimately be deemed unconstitutional, the orders as written are not.

What It Means for HR: The DEI EOs are back in effect, pending further litigation.

See SHRM's website for Inclusion and Diversity program compliance tools at <https://www.shrm.org/topics-tools/tools/forms/inclusion-diversity-program-compliance-checklist>.

Source: Society for Human Resource Management

* MVSHRM's May 2025 Legislative Update is edited by Joseph A. DeTraglia, Esq., a labor and employment attorney with the Utica, New York law firm Joseph A. DeTraglia, Esq., P.C., who serves as MVSHRM's Legislative Committee Chairperson and as a Past President of the Oneida County Bar Association. He can be reached at 315-790-8822 or at JD@DeTragliaLawFirm.com.