

Andrew M. Gordon

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He/Him

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About Andrew

With more than fifteen years of experience, Andrew provides litigation, negotiation, and day-to-day counseling to businesses and their management teams nationwide.

As a litigator, Andrew represents employers in federal and state courts, in arbitration, and before government agencies. He represents clients on matters that range from discrimination, harassment, and retaliation to wage and hour (including class and collective actions), Family and Leave Act (FMLA), Americans with Disabilities Act (ADA), and other federal, state, and local leave obligations. He also handles breach of contract, whistleblowing, restrictive covenants, non-competes, and non-solicits, social media use, Occupational Safety and Health Administration (OSHA), worker adjustment and retraining notification (WARN), Families First Coronavirus Response Act (FFCRA), COVID-19 legislation, and other employment law matters.

Andrew provides in-person and web-based employment law training to corporate executives, managers/supervisors, HR professionals, and other employees on employment law requirements and trends. This includes harassment, discrimination and retaliation, the use and pitfalls of social media, accommodation and leave-related issues, and customized issues unique to the organization.

As trusted counsel, he imparts day-to-day advice to employers on all employment law issues from hiring to firing, including drafting and reviewing employment and severance agreements, reduction-in-force plans, employee handbooks and individual policies, non-compete and non-solicit agreements, and documents used in conjunction with the employer-employee relationship.

Andrew is experienced in complex business litigation spanning contract disputes, business disputes, aviation security litigation, commercial landlord/tenant disputes, federal and state fair housing claims, and class action

litigation.

Andrew's Affiliations

- Broward County Bar Association

Areas of Focus

Industries: Aviation & Aerospace

Services: Consumer & Class Action Defense; Employment Advice & Counseling;
Employment Litigation; Labor & Employment; Litigation & Trial

Experience

- Secured a summary judgment win before an arbitration panel on behalf of an automotive dealership. A former employee had sued the dealership, alleging sexual harassment, sex discrimination, and retaliation. All claims were dismissed at summary judgment.
- Secured dismissal, with prejudice, of COVID-19/workplace injury whistleblower claims filed under the OSH Act against a prominent resort and spa.
- Obtained summary judgment in a retaliation case involving a whistleblower on behalf of a Florida public charter school. Successfully argued that plaintiffs were public employees and, as such, should have filed their claims for retaliation under Florida's Public Whistleblower Act, not Florida's Private Whistleblower Act. The plaintiffs were unable to refile under the appropriate statute because more than 180 days had passed, which is the statute of limitations for Florida's Public Whistleblower Act.
- Secured summary judgment for the defendant in a Florida federal court case involving an associational discrimination claim under the ADA. The court ruled that the plaintiff was not qualified for her position because she could not meet the in-office requirement.
- Obtained summary judgment in arbitration for a large tire store chain in a case involving discrimination, failure to accommodate, and retaliation under the Americans with Disabilities Act (ADA). The plaintiff, a former employee, alleged that the tire store discriminated against him by terminating his employment because of a disability and failing to provide reasonable accommodation. The plaintiff also alleged that the tire store retaliated against him by terminating his employment after he requested an accommodation. Additionally, the legal team secured a federal court confirmation of the arbitration award in favor of the tire store despite the plaintiff's attempts to have it vacated.
- Secured a summary judgment on behalf of a Florida-based car dealership in a discrimination and retaliation case. The plaintiff, a former employee, claimed the dealership had discriminated against him based on an English-only policy and also retaliated against him when he complained about the English-only policy.

- Obtained a non-monetary settlement of the charging party's claims. Hinshaw represented a nonprofit in an FMLA retaliation case, which included claims of racial, sexual, and disability discrimination.
- Represented a dental practice in a retaliation case involving sexual harassment. We argued that the plaintiff, an employee, resigned prior to allowing the dental practice an opportunity to investigate her claims of sexual harassment. The court agreed and granted summary judgment in favor of our client.
- Obtained a no reasonable cause determination from the Florida Commission on Human Relations relating to a former employee's claims of race discrimination. Although the former employee had 35 days to appeal to preserve her right to possibly file suit, she did not appeal, and a suit was never filed.
- Obtained a no reasonable cause determination from the Florida Commission on Human Relations in response to a former employee's claims of age discrimination and retaliation under the ADEA and FCRA. This decision also barred the former employee from pursuing the same claims in state court.
- Obtained a determination of no reasonable cause from the Florida Commission on Human Relations relating to a former employee's pregnancy discrimination claims, which resulted in the former employee being barred from filing claims in state court.
- Successfully defended an appeal of nonfinal order compelling arbitration, resulting in a per curiam affirmance and the case being compelled to arbitration.
- Persuaded the US Department of Labor's Occupational Safety and Health Administration (OSHA) that there was no reasonable cause and secured dismissal of a complaint filed by a former employee. The complaint had alleged that the former employee was discharged from a public transportation company in retaliation for raising safety concerns, which would violate the National Transit Systems Security Act.
- Assisted client with DOL investigation into whether an employee's rights were violated, as they alleged, after taking FMLA leave. Ultimately, the DOL found that there were no violations.
- Represented a national chain restaurant against FLSA overtime claims resulting in a full defense verdict at trial based on the administrative exemption.
- Defended education management company in a wage theft case. Successfully convinced the Broward County Professional Standards Division that the employee's claims were false and based on a misunderstanding of the employee's own agreed-to-pay structure as a teacher.
- Represented a local restaurant against FLSA overtime claims resulting in a full defense verdict at trial based on the administrative exemption.
- Obtained dismissal on behalf of an airline facing a stock dispute with a terminated employee.
- Negotiated and protected an insurance brokerage firm's interests in not having new employees bound by a previous non-compete agreement.
- Persuaded the US Department of Labor's Occupational Safety and Health Administration (OSHA) that there was no reasonable cause and secured dismissal of a complaint filed by a former employee. The complaint had alleged that the former employee was discharged from a public transportation company in retaliation for raising safety concerns, which would violate the National Transit Systems Security Act.
- Secured summary judgment for the defendant in a Florida federal court case involving an associational discrimination claim under the ADA. The court ruled that the plaintiff was not qualified for her position because

she could not meet the in-office requirement.

Recognition

- *The Best Lawyers in America*®, Commercial Litigation, 2023 – 2026; Employment Law – Management, 2026
- *South Florida Business Journal*, Power Leaders in Law & Accounting, 2025
- *Florida Super Lawyers*, 2025; and *Rising Star*, 2013 – 2019
- *Florida Trend Magazine*, Florida Legal Elite, Notable Labor & Employment Lawyer, 2024; Florida's Legal Elite Up and Coming, 2016
- *South Florida Legal Guide*, Top Lawyer in Labor & Employment, 2021
- Appointed by Fort Lauderdale Mayor Dean J. Trantalis to a 23-member Working Group developing the city's COVID-19 business reopening plan, 2020
- *Daily Business Review*, On the Rise Professional Excellence Award, 2018
- *South Florida Business & Wealth Magazine*, Up and Comer Award, Finalist, 2018

Credentials

Education

St. Thomas University School of Law, JD, *cum laude*, 2009

Florida State University, BA, 2006

Bar Admissions

Florida

Court Admissions

US Court of Appeals for the Eleventh Circuit

US District Court for the Middle District of Florida

US District Court for the Northern District of Florida

US District Court for the Southern District of Florida

Interests

Community/Civic Activities

- Hinshaw University, Supervisor
- Anti-Defamation League (ADL), Florida Chapter, Summer Associate Research Program
- City of Ft. Lauderdale Board of Adjustment; Civil Service Board
- Greater Ft. Lauderdale Chamber of Commerce, Governmental Affairs Committee, Former Member; Business First Committee
- Legal Aid Service of Broward County, Advice and Counsel Hotline, Volunteer

- Riverwalk Ft. Lauderdale, Advisory Board; Master Plan and Projects Committee
- Victoria Park Civic Association, President; Former Vice President; Council of Ft. Lauderdale Civic Associations, Former Representative

Thought Leadership

Presentations

Andrew is regularly invited to speak at national conferences, webinars, industry/trade associations, on television and radio/internet programs. A selection of presentations include:

- Co-Presenter, “L&E Regional Law Updates: East Coast,” Hinshaw & Culbertson LLP, Virtual Event, January 10, 2024
- “Employment Law 101 – Understanding Employment Law and its Impact on the Workplace,” National Education Institute, Charter Schools USA, Orlando, Florida, November 2, 2022
- Co-Moderator, “Navigating the Stop W.O.K.E. and Don’t Say Gay Acts,” Hinshaw & Culbertson LLP, Ft. Lauderdale, Florida, Chicago, Illinois, Virtual, October 28, 2022
- Co-Presenter, “East Coast/South Labor & Employment Regional Law Update,” Hinshaw & Culbertson LLP, Virtual Event, July 26, 2022
- Panelist, “[Office Space: Post-COVID Concerns Behind Bringing Employees Back](#),” Associated Talk Series, Associate Financial Consultants, Virtual Event, June 8, 2021
- “Labor and Employment Law in the Age of COVID-19,” Paralegal Association of Florida, Inc., CLE, Virtual Event, April 7, 2021
- “[What You Need to Know About Title VII](#),” IMPACT Seminar Series for Small Businesses, Coral Gables Chamber of Commerce, Virtual Event, February 17, 2021
- “[Possibility of Employer-Mandated COVID Vaccines on the Forefront of Workers’ Minds](#),” *CBS4 Miami*, December 14, 2020
- Co-Presenter, “The Labor & Employment Year in Review: Is It Over Yet?” East Coast Session, Hinshaw’s 25th Annual Labor & Employment Seminar, Virtual Event, October 26, 2020

Publications

Andrew is regularly quoted in national and local trade journals and media outlets on employment law developments and trends.

Andrew’s legal analysis of a sexual harassment case and its implications for employers was the subject of a Corporate Counsel article for its In-House Straight series, titled “Policies and Procedures Lower Sex Harassment Liability.”

Other publications include:

- Co-Author, “The PUMP Act: How Will It Impact Florida Employers?” *Daily Business Review*, June 14, 2023

- Co-Author, “FTC’s Proposed Rule Banning Noncompetes: How the Rule, If Enacted Will Impact Florida,” *Daily Business Review*, February 2, 2023
- Co-Author, “Stop WOKE Act: The End to Workplace Diversity & Inclusion Training in Florida?” *Daily Business Review*, March 10, 2022
- Co-Author, “Understanding the FLSA and Its Exemptions,” *Daily Business Review*, November 30, 2021
- Co-Author, “[Workplace safety: What if you want your employees to take a COVID-19 test?](#)” *The Miami Herald*, November 27, 2020
- Co-Author, “[Takeaways for Employers From SCOTUS’ Landmark LGBTQ+ Ruling](#),” *The Miami Herald*, July 17, 2020
- Co-Author, “[Here Are Some Key Considerations for Employers as the Workplace Begins to Reopen](#),” *The Miami Herald*, May 15, 2020
- Co-Author, “Work Environments in Medical Marijuana Age: What Employers Can and Cannot Do,” *Daily Business Review*, May 6, 2020
- Co-Author, “CARES Act is a Big Step Forward,” *The Miami Herald*, April 3, 2020
- Co-Author, “Employer Obligation During Closings and Layoffs: Don’t Forget the WARN Act,” *Daily Business Review*, March 27, 2020
- Co-Author, “South Florida Employers Should Brace for the Potential Impact of Covid-19,” *The Miami Herald*, February 14, 2020

Blog Posts

- FAQs: Florida Requires Certain Employers to Use Federal E-Verify System to Confirm Employees are Legally Eligible to Work, Jun 30, 2023
- Federal Court Denies Preliminary Injunction in Lawsuit Challenging Florida’s Stop WOKE Act, Jul 1, 2022
- Florida Boosts Minimum Wage Rate, Mandates Reporting Requirements for Businesses Using Independent Contractors, Oct 1, 2021
- In Florida, One-Event Sexual Advance at a Non-Work Sponsored Party Can Support Sexual Harassment and Retaliation Claims, Mar 20, 2018
- Beginning next year, Florida’s minimum wage is going up., Oct 26, 2016

Events

- Hinshaw’s Labor & Employment Regional Law Updates, Jan 10, 2024
- Navigating the Stop W.O.K.E. and Don’t Say Gay Acts, Friday, October 28, 2022 | 4:00 p.m. EDT | 3 p.m. CDT |
- 25th Annual Labor & Employment Seminar – Virtual for 2020, October 26 - 30, 2020

Hinshaw Newsletters

- Employment Practices Newsletter - March 2015 Edition, Mar 2, 2015

- Employment Practices Newsletter - December 2014 Edition, Dec 1, 2014
- Employment Practices Newsletter - October 2014 Edition, Oct 1, 2014
- Employment Practices Newsletter - September 2014 Edition, Sep 2, 2014
- Employment Practices Newsletter - July 2014 Edition, Jul 1, 2014

In The News

- Andrew Gordon and Lauren Swanson Review What the Preliminary Injunction Against Florida's "Stop W.O.K.E. Act" Means for Employers, May 8, 2024
- Andrew Gordon Reviews NLRB Ruling that Banning an Employee from Wearing a BLM Mark on their Uniform Violated the National Labor Relations Act, Feb 27, 2024
- Navigating the DOL's New Final Independent Contractor Rule: Andrew Gordon and Lauren Swanson Author Daily Business Review Byline, Feb 15, 2024
- Andrew Gordon Discusses in SHRM Proposed New Pregnant Workers Fairness Act Regulations, Jan 10, 2024
- Hinshaw Featured in the Daily Business Review of Florida Law Firm Office Space, Jan 2, 2024

Insights for Employers Alerts

- Florida Governor DeSantis Signs a New Florida Law Governing COVID-19 Vaccination Mandates, Nov 22, 2021
- Frequently Asked Questions Employers Have About the New CDC COVID-19 Guidelines, May 18, 2021
- CARES Act Provides Massive Financial Relief to Small Businesses and Expands Unemployment Benefits for Workers, April 1, 2020 | Updated on April 10, 2020
- Employment Practices Newsletter - May 2015, May 1, 2015
- Employment Practices Newsletter - February 2015, Feb 2, 2015

Press Releases

- 102 Hinshaw Lawyers Recognized in 2026 Editions of *The Best Lawyers in America*® and *Ones to Watch*™, Aug 21, 2025
- Barbara Fernandez and Andrew Gordon Named 2025 Power Leaders in Law & Accounting, Jun 20, 2025
- Legal Aid Service of Broward County Names Hinshaw Law Firm of the Year and Honors Jenelle E. La Chuisa with 2024 Russell E. Carlisle Advocacy Award, Sep 10, 2024
- Andrew Gordon Selected as a Florida Legal Elite 2024 Notable Labor & Employment Lawyer, Sep 3, 2024
- 105 Hinshaw Lawyers Recognized in 2025 Editions of Best Lawyers in America and Ones to Watch, Aug 15, 2024

Webinars

- Labor & Employment Regional Law Update, Tuesday, July 26, 2022
- Andrew Gordon to Speak on What Small Businesses Need to Know About Title VII, Feb 17, 2021

[View all of Andrew's Insights](#)