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California Bans Natural Hair Discrimination

On July 3, 2019, Governor Gavin Newsome signed into law the CROWN Act (Creating a Respectful and Open Workplace for Natural Hair.) While New York City recently became the first locality to enact such legislation, California is the first to ban natural hair discrimination statewide.

The move comes amidst a long and ongoing era of awakening regarding institutionalized discrimination against black and brown people. Hairstyle guidelines in schools and workplaces disproportionately affect persons from minority racial, ethnic, and/or cultural groups. The consequences of such discriminatory policies can be both psychological and physical. Members of the black community, for instance, are far more likely to suffer from severe skin, hair, and scalp damage due to repeated exposure to manipulation and chemical treatment of their hair.

With this in mind, the CROWN Act amends the definition of “race” in California’s Education Code and the Fair Housing and Employment Act (FEHA) to include, “traits historically associated with race, including, but not limited to, hair texture and protective hairstyles.” Protective hairstyles include those such as braids, locks, and twists. Employers or schools who maintain grooming or appearance standards which prohibit such hairstyles will heretofore be subject to liability.

If you are an employer in California, you should contact your attorney to carefully review your grooming and/or appearance standards policies to ensure you comply. If you are an employer outside California, consider doing the same. Though your state or city may not have a law in place, restricting employees from wearing their hair in a manner traditionally associated with their race or ethnicity is simply bad practice. Operate your business above the line. It’s not just about what is legal; it’s about what’s right.

The full text of the CROWN Act can be found [here](#).

Questions? Contact Stokes Wagner.