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CROWN ACT

WHAT YOU NEED TO KNOW

About Hair Discrimination in the Workplace

EGUIDE



INTRODUCTION

On July 3, 2024, New Hampshire became the 26th state to enact its version of the CROWN Act, prohibiting natural hair discrimination in the workplace. Signed into law by Governor Chris Sununu, this legislation takes effect on September 1, 2024. It amends the state's anti-discrimination law to include "protective hairstyles," such as braids, locs, tight coils or curls, cornrows, Bantu knots, Afros, twists, and head wraps. This guide provides essential information about the CROWN Act and its implications for employers and HR professionals, along with real-world scenarios of discrimination and steps to prevent them in your organization.



What Is the CROWN Act?

The CROWN Act, which stands for "Create a Respectful and Open Workplace for Natural Hair," is a law designed to prohibit discrimination based on hair texture and protective hairstyles commonly associated with racial, ethnic, and cultural identities. Initially passed in California in 2019, the legislation has since spread across the United States, with more than half of the states enacting similar laws.



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New Hampshire's CROWN Act: Key Provisions

1. **Effective Date:**
   September 1, 2024

2. **Scope:** Prohibits discrimination in employment based on protective hairstyles.

3. **Protected Styles:** Includes braids, locs, tight coils or curls, cornrows, Bantu knots, Afros, twists, and head wraps.

4. **Exemption:** The law does not apply to individuals employed by the state's Department of Corrections.

5. **Private Cause of Action:** Individuals subjected to discrimination based on a protective hairstyle have a private right of action under the law.



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Federal Legislation Update: The Status of the CROWN Act in Congress

2024

In 2024, efforts to pass federal CROWN Act legislation were renewed with the reintroduction of the bill in both the House and Senate. Advocates continue to push for national legislation to provide uniform protections across all states.

2022

Currently, there is no federal legislation banning hair discrimination. Although the U.S. House of Representatives passed a measure in 2022, it stalled in the Senate.

States Leading the Way: A Growing Movement

As of July 2024, 26 states have passed their versions of the CROWN Act. Each state's legislation varies slightly, but the common goal is to protect individuals from discrimination based on natural hair and protective hairstyles. To see a full list of states that have passed CROWN Act legislation, click here.



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SCENARIOS OF HAIR DISCRIMINATION

STEPS TO PREVENT IT IN YOUR COMPANY



SCENARIO 1

Denial of Promotion Due to Natural Hair

Situation:

Tasha, a Black employee, was passed over for a promotion despite her strong qualifications. Her manager hinted that her natural hair might be seen as "unprofessional" by higher management.

Prevention steps

1. **Inclusive Grooming Policies:** Update company policies to explicitly state that natural hairstyles are professional.
2. **Bias Training:** Conduct regular training sessions for leaders to recognize and eliminate appearance-based biases.
3. **Merit-Based Evaluations:** Ensure that promotions and reviews are based solely on performance and qualifications, not appearance



SCENARIO 2

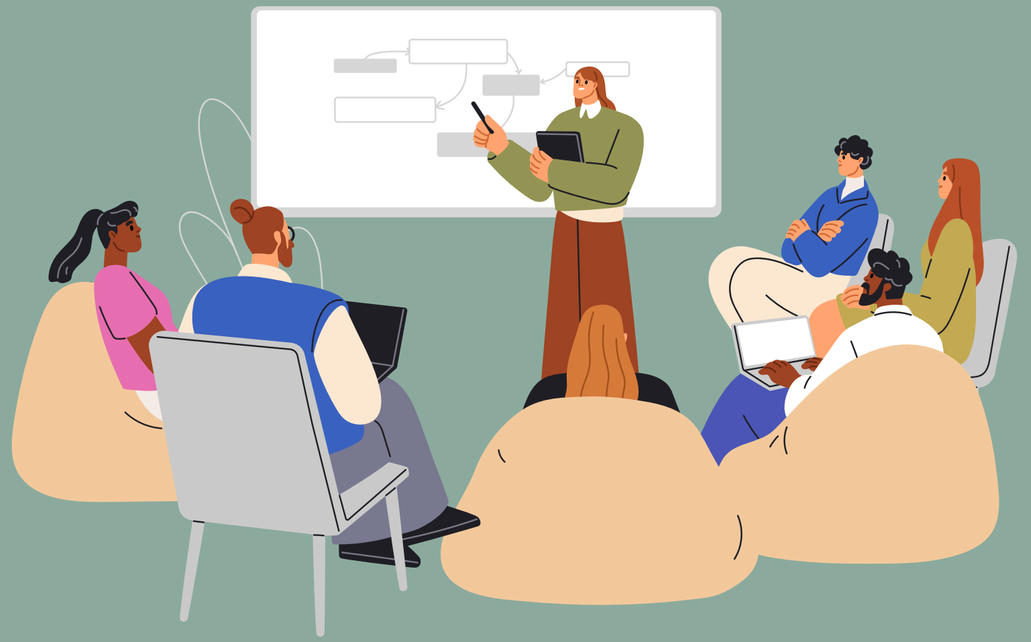
Harassment Over Protective Hairstyles

Situation:

Marcus, a Black employee with locs, faced repeated comments from his manager about changing his hairstyle to fit the company image, leading to feelings of discrimination.

Prevention steps

1. **Anti-Harassment Policies:** Implement policies that explicitly prohibit targeting employees based on their hairstyles.
2. **Manager Training:** Train managers on the legal protections against hair discrimination and how to handle complaints.
3. **Reporting Mechanisms:** Create a transparent process for employees to report harassment without fear of retaliation.



SCENARIO 3

Reassignment Due to Customer Complaints

Situation:

Vivian, who wore braids, was reassigned from a front-desk position to a back-office role after a client complained about her appearance.

Prevention steps

1. **Client Education:** Educate clients about the company's commitment to diversity and the respect for natural hairstyles.
2. **Protective Policies:** Establish policies to protect employees from being penalized based on customer biases.
3. **Employee Support:** Provide support systems for employees experiencing discrimination, including counseling and escalation options.



SCENARIO 4

Refusal to Hire Based on Hair Discrimination

Situation:

An applicant with Rastafarian dreadlocks was denied a job due to the hiring manager's belief that his hairstyle would be “off-putting” to customers.

Prevention steps

1. **Review Hiring Policies:** Ensure hiring practices are inclusive and do not discriminate against natural hairstyles.
2. **Bias-Free Interviews:** Train hiring managers to focus on qualifications and experience rather than appearance during interviews.
3. **Cultural Competence Training:** Educate staff on the cultural and religious significance of different hairstyles to prevent discriminatory hiring practices.



What Are HR's Next Steps?

The fact is, it's up to HR to set a higher company standard and to be forward-thinking leaders who support all employees while staying ahead of the curve on evolving employment laws. By taking proactive steps, you can ensure compliance with the CROWN Act and foster an inclusive workplace.

Crowns Act Checklist: Click Here

Quiz: Are You Allowing Hair Discrimination in Your Organization? Click Here



Conclusion

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Building an Inclusive Workplace

Preventing hair discrimination in your company requires a proactive approach that includes revising policies, training employees, and fostering a culture of inclusion and respect. By taking these steps, you can ensure that your company not only complies with the CROWN Act but also supports a diverse and equitable work environment.

Call to Action:

Need help updating your employee handbook or training your managers about the CROWN Act? Contact us directly to ensure your organization stays ahead of evolving employment laws and fosters an inclusive workplace culture.

BOOK NOW