

Committee on Labor and Public Employees

Public Testimony of the CT Women's Education and Legal Fund (CWEALF)

H.B. 5388: An Act Creating a Respectful and Open World for Natural Hair

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The Connecticut Women's Education and Legal Fund (CWEALF) is a statewide nonprofit that advocates for and empowers women and girls in Connecticut, especially those who are underserved or marginalized. For forty-six years, CWEALF has been a leading advocate for policies that advance women's economic security and combat discrimination.

We urge the committee to support *H.B. 5388: An Act Creating a Respectful And Open World For Natural Hair*, which will prohibit discrimination on the basis of ethnic hairstyles historically associated with race.

Commonly referred to as the CROWN Act, H.B. 5388 extends statutory protection to hair texture and protective styles in the Fair Employment and Housing Act (FEHA) and state education codes. The CROWN Act is critical to women of color who are disproportionately judged and face racial discrimination on the basis of their natural hair, and to young girls who are kicked out of classes and school for their natural ethnic hair and hair styles.

Discrimination based on hairstyle and hair texture dates back to slavery when straight "white" hair was considered desirable while natural curly/afro hair was demeaned and considered unacceptable. The term "nappy" was used by the masters' to describe hair that was undesirable to their culture.¹

Hair discrimination has long lasting impacts on a person's health and wellbeing. Perming natural hair often results in hair breakage to hair loss or even infections.² Other hairstyles present to others as more ethnic and too "Afro-centric" like dreads, locs, braids etc., which due to racism and bias, may lead to discrimination in the workforce.³ Women who choose

¹ Paulino, M. (2019, August 9). The Racial Roots Behind The Term 'Nappy'. Retrieved March 4, 2020, from <https://www.npr.org/sections/codeswitch/2019/08/09/412886884/the-racial-roots-behind-the-term-nappy>

² Small, K. (n.d.). The CROWN Act Takes 3 More Victories — Here's What It Is & Why It's Important. Retrieved March 4, 2020, from <https://bust.com/feminism/196921-crown-act-passes-in-more-states.html>

³ Horne, M. (2018, February 28). A Visual History of Iconic Black Hairstyles. Retrieved March 4, 2020, from <https://www.history.com/news/black-hairstyles-visual-history-in-photos>

to embrace their natural hair also face unfair treatment and pushback for not wearing their hair straight, especially in the workplace where it is deemed “unprofessional” and often turned into a fireable (or expellable) offense in workplace and school settings.

Black women are 1.5 times more likely to be sent home from the workplace because of their hair. Black women are 83% more likely to report being judged more harshly on her looks than other women. Black women are 80% more likely to change their natural hair to fit in at their office. ⁴

In 2016, an employer rescinded a job offer at an Alabama call center because Chastity Jones refused to cut her locs. Jones sued the company in 2013 for discrimination and lost wages, but her claim was dismissed, ultimately leading to the 2016 decision in the U.S. Court of Appeals that stated hairstyles only have a cultural link to race and not to race. In August of 2018, Faith Fennidy, a Louisiana sixth grader, was kicked off school grounds because her braided hair violated school policy.

While anti-discrimination laws currently protect the choice to wear an afro, it is not the only natural presentation of black hair. If passed, H.B. 5388 will ensure protection against discrimination based on hairstyles by specifying that the protected class of race also includes traits historically associated with race identification, such as hair texture and hairstyles.

California, New York and New Jersey and several municipalities including Cincinnati, Ohio and Montgomery County, Maryland recently passed the CROWN Act.⁵ Twenty-six other states are considering the CROWN Act and just a few weeks ago Colorado, Washington and Minnesota advanced their own CROWN legislation in the House or Senate.⁶

House Bill No. 5388 will ensure that CWEALF’s clients, the majority of whom are women of color with at least one dependent, are protected against discrimination on the basis of their natural hairstyles both in the workplace and schools. This is critical to ensure that women and girls are treated fairly and respectfully to obtain equitable education and achieve economic security in the workplace.

Afrocentric hairstyles should not be considered unprofessional or a distraction. Women and girls of color need protection against discrimination on the basis of natural hair styles and textures. CWEALF urges the committee to support H.B. 5388.

⁴ Dove CROWN Research Study. (2019). Retrieved March 4, 2020, from <https://www.thecrownact.com/research>

⁵ The CROWN Act. (2019). Retrieved March 4, 2020, from <https://www.thecrownact.com/>

⁶ Kaur, H. (2020, February 16). In just 1 week, 3 states considered bills to ban discrimination based on hair texture or style. Retrieved March 4, 2020, from <https://www.cnn.com/2020/02/16/us/hair-discrimination-bills-trnd/index.html>