



A Robinson+Cole Legal Update

March 9, 2021

The CROWN Act: What Connecticut Employers Need to Know

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Connecticut House Bill 6515, otherwise known as the Creating a Respectful and Open World for Natural Hair (CROWN) Act, which prohibits workplace discrimination as well as discrimination in public accommodations, housing, credit practices, union membership, and state agency practices based on hair texture and hairstyle, was signed by Governor Ned Lamont on March 4, 2021[1]. The Connecticut House of Representatives passed the CROWN Act on February 24, 2021, with a 139 to 9 vote. The state Senate then passed the bill by a 33-0 vote on March 1, 2021. The signing of this bill aligns Connecticut with seven other states, including New York and New Jersey, which already have passed similar legislation.

The CROWN Act amends the Connecticut Fair Employment Practices Act (CFEPA)[2], which prohibits employers with three or more employees from discriminating against employees based on protected traits, including race, sex, and national origin. Specifically, the bill states that “race” shall encompass ethnic traits historically associated with race, including hair texture and protective hairstyles. It further provides that protective hairstyles shall include braids, cornrows, locs, twists, Bantu knots, afros, and afro puffs. The CROWN Act is intended to prevent the enforcement of grooming and dress code policies that, while possibly neutral on their face, disproportionately affect Black employees.

A Dove study found that Black women are 80 percent more likely than other women to change their natural hair to meet social norms and workplace expectations[3]. The study also found that Black women are 1.5 times more likely than other women to be sent home, or to know of another Black woman who has been sent home, because of her hair[4]. However, employers should be mindful that discrimination and harassment based on an individual's natural hair affects both women and men of color. The CROWN Act provides a legal remedy for employees who face an adverse employment action, such as termination or a refusal to hire, because they choose to wear their hair in a protective style. Employees will be able to seek a remedy before the Connecticut Commission on Human Rights and Opportunities (CHRO), which has the authority to investigate complaints of discriminatory practices.

As a result, employers may want to review dress code and grooming policies to ensure they are compliant with the protections afforded by the CROWN Act. Employers should consider whether policy language specifically prohibiting natural or protective hairstyles or requiring that hair be worn in a specific manner, is justified by a legitimate, non-discriminatory justification that does not impact employees of a specific race or ethnicity, as these policies should be applied equally to all employees. Additionally, managers' and supervisors' employers should evaluate additional training for on how to avoid discriminating against job applicants and employees based on hairstyle and hair texture. Employers also may wish to consider providing updated diversity, equity, and inclusion training for all employees, in particular human resources

and management staff, which reflect the protections under the CROWN Act. Lastly, human resource procedures may need to be updated and/or implemented to address these types of workplace claims. Competent legal counsel can help employers address policies and practices and provide advice for becoming or staying compliant with the provisions of the CROWN Act.

ENDNOTES

1. [H.B. 6515, Conn. Gen. Assemb. 2021 Sess.](#)
2. Conn. Gen. Stat. § 46a-51 et seq.
3. [The CROWN Research Study, Dove, \(2019\)](#)
4. Id.

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