Illinois Enacts Law Banning Racial Discrimination Based on Hairstyle or Hair Texture

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Friday, July 8, 2022

On July 1, 2022, Illinois Governor J.B. Pritzker signed into law Senate Bill (SB) 3616, also known as the CROWN Act. The CROWN (“Create a Respectful and Open Workplace for Natural Hair”) Act (Public Act 102-1102) amends the Illinois Human Rights Act (IHRA) to expand the definition of “race” for the purposes of combatting unlawful discrimination in Illinois. The CROWN Act will take effect on January 1, 2023.
The CROWN Act expands the IHRA’s definition of “race” to include “traits associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists.” This new definition means that “[u]nlawful discrimination ... against a person because of his or her actual or perceived race” pursuant to the IHRA now includes discrimination based on hair texture or hairstyle.

Notably, Illinois now joins sixteen other states with CROWN Act laws, including California, Colorado, Connecticut, Delaware, Louisiana, Maryland, Maine, Nebraska, Nevada, New Mexico, New Jersey, New York, Oregon, Tennessee, Virginia, and Washington. The U.S. Virgin Islands recently enacted the Virgin Islands Crown Act of 2022. The Alaska Legislature has approved antidiscrimination legislation “relating to dress codes and natural hairstyles,” although Alaska’s governor has not yet signed the measure into law; the Massachusetts Legislature is also considering CROWN Act legislation. At the federal level, CROWN Act legislation (H.R. 2116) passed the U.S. House of Representatives in March 2022, and companion legislation (S. 888) has been introduced in the U.S. Senate.

Illinois employers may want to review their grooming policies and practices to ensure compliance with the CROWN Act.


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