Engage PEO Client Alert

Arkansas – CROWN Act Prohibits Race-Based Hair Discrimination in Employment

WHAT'S NEW: On April 10, 2023, Arkansas Governor Sarah Huckabee Sanders signed into law the CROWN Act, which becomes effective September 1, 2023.

WHY IT MATTERS: The CROWN Act stands for "Creating a Respectful and Open World for Natural Hair". The law prohibits race-based hair discrimination by protecting a person from being denied employment and protecting employees against discrimination in the employment relationship.

A national legislative effort began in 2019 as a collaboration between the soap maker Dove and three nonprofits: the National Urban League, Color of Change, and Western Center on Law and Poverty. Currently 21 states have passed a version of the CROWN Act providing protections for cultural and ethnic hairstyles for their citizens.

WHAT THIS MEANS FOR ARKANSAS EMPLOYERS: Employers should be prepared to incorporate the CROWN Act's protections into their discrimination policies. As an example, an employer's discrimination policy can contain the following language as a means of integrating the Act:

> "The following protected class(es) is/are considered integrated, to the extent they are not already listed, into the Equal Employment Opportunity Policy of the handbook: natural, protective, or cultural hairstyle, which includes afros, dreadlocks, twists, locks, braids, cornrow braids, Bantu knots, curls, and hair styled to protect hair texture or for cultural significance. Discrimination is prohibited because of or on the basis of an employee's hair texture or protective hairstyle commonly or historically associated with race."

WHAT EMPLOYERS SHOULD DO:

- Incorporate the CROWN Act into your EEO policy training and resources to educate employees and management about the CROWN Act and the potential consequence of hair-based discrimination.
- Create an inclusive environment. Foster a culture that embraces diversity and inclusion. Encourage open dialogue and understanding among employees to help break down stereotypes and promote a respectful workplace.
- Address complaints promptly: Ensure a process is in place for employees to report potential violations of the CROWN Act and ensure timely investigation and appropriate action related to such complaints.

Please reach out to your Engage Human Resources Consultant if you have any questions concerning this alert or other H.R.-related matters.