

Illinois CROWN Act Expands Human Rights Law to Ban Race-Related Hair Discrimination

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Illinois Governor J.B. Pritzker has signed into law the “Create a Respectful and Open Workplace for Natural Hair” Act, or CROWN Act, which prohibits hair discrimination.

The CROWN Act amends the Illinois Human Rights Act (IHRA) to provide that the IHRA’s definition of “race,” and therefore the protections afforded to race as a protected characteristic, includes “traits associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists.”

The amendment is effective January 1, 2023, and apply to the employment, housing, financial transactions, and public accommodations sectors. To prepare, companies should evaluate their existing grooming and appearance policies to ensure compliance. Requiring employees to wear specific hairstyles, or even prohibiting hair of a certain length, conceivably could run afoul of the Illinois CROWN Act.

The text of the CROWN Act covers hair traits “associated with race, including, but not limited to,” hair texture and protective styles as examples, not as an exhaustive list of CROWN Act-protected characteristics. The IHRA contains other provisions that might affect a company’s practices. The IHRA states that nothing in its list of prohibited forms of discrimination “prohibits an employer from enacting a dress code or grooming policy that may include restrictions on attire, clothing or facial hair to maintain workplace safety or food sanitation.” The IHRA also includes a *bona fide* qualification exemption that permits hiring or selecting between persons for *bona fide* occupational qualifications.

Illinois joins more than a dozen states to have adopted such a law. In addition, the federal CROWN ACT bill is pending in Congress, following the trend in the states. (For details, see our article, [House Passes CROWN Act Ban on Natural Hair Discrimination in the Workplace.](#))

For more information about the Illinois statutory amendment, dress code, grooming policies, or other workplace laws, please contact a Jackson Lewis attorney.

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