CLIENT ALERTS & INSIGHTS

Cuyahoga CROWN Act Enacted, Bans Discrimination Against Natural Hairstyles

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On October 14, Cuyahoga County passed legislation banning discrimination based on natural hairstyles. The ordinance, modeled after California's CROWN Act (Creating A Respectful Open World for Natural Hair), makes Cuyahoga the first county in Ohio to take legal action against hair-based discrimination in employment, housing, and public accommodations. Cincinnati and Columbus have city versions of the CROWN Act.

The new law explicitly protects natural hairstyles including afros, locs, braids, twists, and Bantu knots that are commonly worn by African Americans and often tied to cultural identity. However, employers can still enforce health and safety policies under the new ordinance, as long as they do so fairly and without discriminatory intent. Complaints of violations will be handled by the Cuyahoga County Human Rights Commission, which has authority to investigate, mediate disputes, hold hearings, and impose civil penalties if violations are found.

The CROWN Act originated in California in 2019 and has since spread across the country. More than 25 states and dozens of cities including Cincinnati, OH; St. Louis, MO; and Philadelphia, PA, have passed similar legislation. In recent years, the act has prompted employers to revise policies, train staff, and, in some cases, settle lawsuits where grooming standards disproportionately impact African Americans.

Now that the ordinance has passed in Cuyahoga, the implications for employers are significant. Moving forward employers should:

- **Review Policies:** Revise grooming, appearance, and dress code policies to ensure they do not discriminate against natural hair textures or protective hairstyles such as locs, braids, twists, and afros.
- **Revise Policies:** Ensure any hair-related policies are directly tied to business interests, such as safety, and are not discriminatory. Remove any language that could disproportionately impact employees based on cultural or racial identity traits.
- **Train Staff and Leadership:** Educate teams on how to recognize and prevent hair-based discrimination in hiring, promotion, and workplace conduct.
- **Establish Reporting Channels:** Create clear channels for employees to report violations or complaints without fear of retaliation.

Employers should continue to monitor legal updates, and as always, consult a Benesch Labor and Employment attorney with any questions regarding interpretation or compliance.