

LEGAL UPDATES

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Service

Labor & Employment

Kansas City, Missouri Passes CROWN Act, Expands Definition of Race Discrimination

Key Points

The term “Race” in the context of Kansas City’s anti-discrimination regulation now expressly includes traits historically associated with race, including hairstyles and hair textures;

Kansas City employers can no longer implement appearance policies that prohibit employees from wearing hairstyles or hair textures that are traditionally associated with race.

Ordinance No. 200837

On Thursday, October 1, 2020, the Kansas City, Missouri City Council unanimously passed Ordinance No. 200837, also known as the Creating a Respectful and Open World for Natural Hair (CROWN) Act, which prohibits discrimination based on natural hairstyles and hair textures that are associated with race. Kansas City joins an increasing number of state and local jurisdictions in adding hairstyles and natural hair types that are commonly associated with race to the class of protected racial characteristics.

The Ordinance modifies the definition of “Race” to include “traits historically associated with race including, but not limited to, hair texture and protective hairstyles.” Protective hairstyles include, but are not limited to, “such hairstyles as braids, locks, and twists.” Afros are identified in the Preamble of the Ordinance, indicating that they also qualify as a protected hairstyle.

While the Ordinance focuses on hairstyles, the language added to the definition of “Race” leaves room for employees to claim that other “traits” that

are also historically associated with their race are now covered by the new language.

Employers that violate the Ordinance risk being subject to complaints of race discrimination, which can result in substantial monetary damages.

Mayor Lucas will sign the CROWN Act Ordinance on October 2, 2020.

What This Means For You

Effective November 1, 2020, employers in Kansas City, Missouri will be barred from maintaining and/or enforcing dress codes that prohibit hairstyles or hair textures traditionally associated with race.

Employers should:

Review and modify existing dress codes to ensure compliance with the Ordinance, including making sure facially neutral policies do not have the potential to disproportionately impact a protected class;

Provide written and oral updates on the modified policies to human resources personnel and managerial employees; and

Provide training to all employees regarding inappropriate workplace behavior and conversations, such as touching or commenting on another person's hairstyle, hair texture, or other physical traits.

Contact Us

If you have questions about this new ordinance, contact Kat Pearlstone or your Husch Blackwell attorney.