

ORDINANCE
CITY OF NEW ORLEANS

CITY HALL: November 19, 2020

CALENDAR NO. 33,184

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER MORENO

AN ORDINANCE to amend and reordain 86-1.5 of the Code of the City of New Orleans to prohibit discrimination based upon hairstyles associated with a particular race or national origin; and otherwise to provide with respect thereto.

WHEREAS, the New Orleans City Council understands and acknowledges the importance of racial equity and equal protection under the law in the City of New Orleans; and

WHEREAS, data collected for The CROWN Research Study reflects that in the workplace, Black women's hair is heavily policed through grooming policies; and,

WHEREAS, 80% of Black female subjects in The CROWN Research Study agreed that they felt the need to alter their natural hair to "fit in" in professional settings; and

WHEREAS, the study also showed that Black women are 1.5 times more likely to be sent home from the workplace because of their hair; the study also found that Black women's hair is 3.4 times more likely to be considered "unprofessional"; and

WHEREAS, it is imperative that we take every step possible to address the deep inequities and barriers facing people of color and especially women of color in the workplace and in other aspects of professional and personal life in our city; and

WHEREAS, natural hair grows in different textures, lengths, and colors, and can be worn in a variety of hairstyles, which can hold cultural and religious significance in the Black community; and

WHEREAS, the misguided notion of "professionalism" bolstered by grooming policies that prohibit historically Black natural hairstyles, has long been used to exclude Black individuals from both professional and social environments; and

WHEREAS, the City of New Orleans wants to make certain that residents do not face natural hair discrimination in the workplace, when searching for a home, and when entering a business; **NOW THEREFORE**

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Sections 86-1.5 of the Code of the City of New Orleans is hereby amended and reordained as follows:

“Section 86-1.5. – Definitions

The following words, terms and phrases, when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

Protected cultural hairstyle means any hairstyle or hair texture commonly associated with a particular race or national origin, including locs, cornrows, twists, braids, Bantu knots, Afros, and any hairstyle in which hair is tightly coiled or tightly curled. For purposes of any act of discrimination prohibited by this Chapter, discrimination based upon protected cultural hairstyle shall create a rebuttable presumption of discrimination based upon race or national origin.

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ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:

DISAPPROVED:

MAYOR

RETURNED BY THE MAYOR ON _____ AT _____

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED: