

February 8, 2021

Senator Ben Hansen  
State Capitol  
P.O. Box 94604  
Lincoln, NE 68509

**Re: In support of LB 451, to prohibit natural hair discrimination in employment**

Chairperson Hansen and members of the Business & Labor Committee:

The Women's Fund is in full support of LB 451 in its intent to protect workers from being discriminated against because of their natural hair. There is a long history of Black women being denied employment opportunities based upon the way in which their hair is styled. In an age where employment discrimination rarely presents itself in policies that explicitly exclude employees based upon their race, LB 1451 addresses more subtle – but no less harmful – policies and practices that disproportionately impact Black women and deny job opportunities for reasons that have nothing to do with their qualifications and ability to do the job.

Research shows persistent biases against natural hairstyles.<sup>12</sup> Black women accurately perceive this bias, and one in five Black women feels social pressure to straighten their hair for work.<sup>3</sup>

This bias against natural hair leads to discriminatory behavior. Black women are 30% more likely to be made aware of a formal workplace appearance policy, and 150% more likely to be sent home from the workplace because of their hair.<sup>4</sup> As a result, Black women often feel compelled to undertake costly, time-consuming, and harsh measures to conform their natural hair to a stereotyped look of professionalism based upon Eurocentric standards of beauty.

LB 451 seeks to fulfill the intent of the Nebraska Fair Employment Practice Act to ensure that an individual's race, and characteristics inextricably linked to it, do not limit employment opportunities. LB 451 does not impact an employer's ability to implement dress or grooming codes – but reinforces current law that those policies/practices must have a "bona fide occupational qualification reasonably necessary to the normal operation of that particular business"<sup>5</sup> and must not have a disparate racial impact. LB 451 will protect Black women from policies unrelated to merit or job function but based on racial stereotypes which have no place in a fair and equal workplace or in our state. We strongly encourage your support of LB 451.

Tiffany Seibert Joekel, Research & Policy Director

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<sup>1</sup> A recent study found that White women, on average, rated "textured hair" as less beautiful and less professional than smooth hair. Source: Perception Institute, "The 'Good Hair' Study: Explicit and Implicit Attitudes Toward Black Women's Hair," February 2017, [www.goodhairstudy.com](http://www.goodhairstudy.com).

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> JOY Collective, "C.R.O.W.N. Research Study," 2019, <https://www.thecrownact.com/research>.

<sup>5</sup> NRS § 48-1108.