

State of Maryland

Commission on Civil Rights

“Our vision is to have a State that is free from any trace of unlawful discrimination.”



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February 18, 2020

Senate Bill 531 – Discrimination - Definition of Race - Hair Texture and Hairstyles **Position: Support**

Dear Chairperson Smith, Vice Chairperson Waldstreicher, and Members of the Senate Judicial Proceedings Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, and physical and mental disability.

Senate Bill 531 adds a definition for “protective hairstyle” in Maryland’s employment anti-discrimination law, and declares that race protections include “traits historically associated with race, including hair texture, Afro hairstyles, and protective hairstyles”. In other words, this bill protects individuals from race-based employment discrimination if they wear their natural hair or a protective hairstyle in the workplace.

Presently, MCCR is unable to take complaints of alleged unlawful employment discrimination from individuals who are prohibited from wearing their natural hair in the workplace. African American women are most often required to change their hair from their natural state in order to secure or retain employment. Many employers’ perceptions of what is considered professional for a woman does not include natural hair or protective hair that would be worn by an African American woman. Those individuals who do not change their natural hair may be perceived as unprofessional by their employer and customers, and are more likely to be subjected to scrutiny and discrimination in the workplace.

Currently, these protections have been adopted in California, New Jersey, New York, and Montgomery County, Maryland. Twenty-two states (including Maryland) and the federal government have bills pending to add these protections into law.

For these reasons, the Maryland Commission on Civil Rights urges the committee to vote favorably on SB531.