



2018 New York State YMCA
Youth And Government

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Committee Assignment: Assembly Freedom 3

Bill #: AF-19

1 **Sponsors:** Pilar Cerón, Zachary Kelly-Spadafino, Hypathia González, Regina Tucker

2

3 **An Act To:** Amend the New York State Human Rights Law Article 15 § 296 to
4 eliminate hair-based racial bias in the workplace.

5

6 ***The People of the State of New York, represented in the Senate and***
7 ***Assembly do enact as follows:***

8 **Purpose**

9 The purpose of this bill is to work towards eliminating hair-based racial bias in the
10 workplace.

11

12 **Summary of Provisions**

13 **Section 1**

14 Hair Style: a particular way in which a person's hair is cut or arranged.

15 Hair Texture: the feel, appearance, or /and consistency of one's hair.

16 Hair Type: ethnic association with a curl pattern and/or hair type.

17 Curl Pattern: a numerical and alphabetical system that categorizes hair according to
18 amount of turns formed by hair strands: example. 1a is "pin-straight" hair, while
19 4c is "kinky, coily" hair.

20 Discriminatory Practices: unjust or prejudicial treatment against a job applicant or
21 employee due to their cultural identity.

22 Employer: a person or organization that pays people for their legal work.

23

24 **Section 2**

25 § 296. Unlawful discriminatory practices.

26 1. It shall be an unlawful discriminatory practice:

27 a. For an employer or licensing agency, because of an individual's age,
28 race, creed, color, hair style, hair texture, hair type, or curl pattern,
29 national origin, sexual orientation, military status, sex, disability,
30 predisposing genetic characteristics, familial status, marital status, or
31 domestic violence victim status, to refuse to hire or employ or to bar
32 or to discharge from employment such individual or to discriminate
33 against such individual in compensation or in terms, conditions or
34 privileges of employment.



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35 **Justification**

36 Throughout history, society has favored white people in everything, from rights to
37 positions in office, while for years and years, black women have been discriminated
38 against for nearly everything. From clothes to culture to hair, black women have
39 been seen as inferior to women of other races. It has come to such an extent that
40 black women are even being discriminated upon in the workplace. The workplace is
41 a place where one is supposed to be able to show their strengths and talents and to
42 provide for their families and loved ones. However, black women do not have the
43 ability to do this as freely as other women because they are not treated equally. In
44 fact, while major tech company giants like Apple, Facebook, Google, Intel, Microsoft
45 and Twitter are collectively hiring thousands of workers, on average, their
46 employment of Black women comes in at only three percent, further revealing a
47 general discrimination against Black women in the workplace. Laws are already in
48 place to protect against workplace discrimination against race and religion,
49 however, there is no such law protecting employees from discrimination on the
50 basis of hair. For example, the 11th Circuit Court of Appeals dismissed a lawsuit
51 against a company that refused to hire a woman because she wouldn't cut her
52 dreadlocks. This bill is needed in New York State to ensure equal employment
53 opportunities and treatment in the workplace.

54

55 **Fiscal Implications**

56 There are no fiscal implications for this bill.

57

58 **Effective Date**

59 This bill will go into effect immediately after its passage.