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August 18, 2022

Louisiana Implements the CROWN Act

The Creating a Respectful and Open World for Natural Hair Act (the CROWN Act or the Act) went into effect in Louisiana on August 1, 2022. The [CROWN Act](#) prohibits employment discrimination based on hairstyles and hair textures historically associated with race. The CROWN Act amends the definition of unlawful discrimination in employment under the Louisiana Employment Discrimination Law (LEDL), specifically La. R.S. 23:332, so that it includes discrimination in employment based on a person's "natural, protective, or cultural hairstyle." Natural, protective, or cultural hairstyle includes but is not limited to "afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls, and hair styled to protect hair texture or for cultural significance."

Violating the Louisiana CROWN Act creates a new basis for an employment discrimination claim against employers. A violation exposes Louisiana employers to all the potential remedies set forth in LEDL, including compensatory damages, back pay, compensation for lost benefits, reinstatement or front pay, and reasonable attorney fees and court costs.

Although the Act prohibits discrimination against individuals with hairstyles historically associated with race, the law includes any "cultural hairstyle" and hair styled "for cultural significance," which could include hairstyles that are not necessarily associated with a specific race.

To date, 17 other states and U.S. territories have enacted similar laws, including Massachusetts, Tennessee, and the U.S. Virgin Islands. Efforts are also ongoing to pass CROWN Act legislation at the federal level. The federal version of the bill was passed in the U.S. House of Representatives and is currently awaiting a vote in the U.S. Senate.

Next Steps for Louisiana Employers

- Employers should take time to review current policies to ensure compliance with the Louisiana CROWN Act, including equal employment opportunity policies and grooming and uniform policies.
- Employers should review management and human resources personnel antidiscrimination training to ensure they are aware of the Act's requirements.
- Employers should review current safety rules, like headgear requirements, to ensure they are bona fide and there are no alternatives that can be implemented.

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