A HAIRY SITUATION: FIGHTING HAIR BIAS IN THE WORKPLACE

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SUMMARY: California and 12 other states have recently passed legislation to combat discrimination based on hairstyles. This article presents a review of hair bias as it relates to Black women in the United States. We first give a historical perspective of the issue and then a review of significant legal challenges and the research on hair bias in the workplace. We conclude the article with implications and recommendations to help employers create a more inclusive environment for Black females and to conform with recent legislation against hair discrimination.

Key Words: Hairstyles, Hair bias, CROWN Act, Discrimination

"I've been wearing my hair natural for almost 15 years now, and I have no desire to put chemicals in it ever again. But, the reality of it all is, I know that corporate America shuns the beauty of our hair, regardless of how well maintained it is." (Dawson, Karl & Peluchette, 2019)

Introduction

In light of the recent social justice movement, both large and small businesses and organizations are publicizing their commitments to creating more inclusive environments. However, businesses must go beyond diversity and inclusion statements and examine their policies and practices to make sure their culture reflects a social justice philosophy where people are not marginalized because of their cultural or racial differences. Managers and leaders are often not aware of subtle forms of discrimination, such as hair bias that perpetuate discriminatory behaviors in the workplace.

Robinson (2011) notes that "White-dominated culture has racialized beauty so that hair that reflects European ancestry is more attractive than hair that reflects African ancestry" (p. 360).

This devaluation of Black hair has forced Black women to strive to reach Eurocentric beauty standards that work to their detriment (Arogundade, 2000; Robinson, 2011). Eurocentric hairstyles refer to straight hairstyles that for most Black women "require straightening the hair (either chemically or thermally) or otherwise altering hair in texture and/or length to give it a more Caucasian or Eurocentric appearance" (Dawson & Karl, 2018, p. 47).

During the civil rights movement of the 1960s and 1970s, when Blacks sought to regain pride in their cultural heritage, natural Afrocentric hairstyles such as afros became vogue. Today, many Black women choose natural, chemical-free, and protective hairstyles to promote healthy hair growth and to avoid the harm of chemical relaxers or heat required to thermally relax the hair. These treatments can damage the hair and cause hair loss. Chemical relaxers can also result in adverse health effects such as cancer, hormone disruption, and reproductive damage (Senthilingam, 2016).

The basic structure and composition of textured, coiled Black hair make it fragile, and prone to dryness and breakage. With protective hairstyles such as braids, twists, and locks, the ends of the hair shaft are not exposed, and the hair is less susceptible to breakage. Simpson (2017) notes that Black haircare experts recommend protective styles to increase moisture and to stop the hair from tangling. "Braids, twists, and dreadlocks are the main protective styles a Black woman can use to protect and grow her hair. These styles reduce day-to-day combing and styling manipulation with brushes, combs, curling irons, and the use of blow dryers and flat irons that lead to breakage" (Simpson, 2017, p. 6; Davis-Sivasothy, 2011).

Research has highlighted hair bias as a form of subtle discrimination that adversely affects African American women who choose to wear natural hairstyles. The introduction of the CROWN Act (Creating a Respectful and Open World for Natural Hair Act) has attempted to fix hair discrimination in the workplace. California Governor Gavin Newsom signed the CROWN Act into Law in July 2019. By July 2021, 12 other states followed and signed the CROWN Act or similar legislation into law. The bill prohibits employers from implementing policies and engaging in practices that discriminate against protected racial characteristics under the law, including natural hair and protective hairstyles (Schedulehead, 2020).

In the following sections, we review some of the legal challenges related to hair discrimination and review the literature related to the effects of hair bias for Black women in the workplace. We conclude by providing recommendations for employers in creating environments that are more inclusive for Black women.

Legal Challenges

Title VII of the 1964 Civil Rights Act was designed to level the playing field between Black and White Americans regarding employment opportunities but does not protect against discrimination stemming from the natural hair of Black women. In the seminal Federal District court case, *Rogers vs. American Airlines*, a Black manager filed suit against American Airlines stating that the policy that banned braids in certain job categories was discriminatory toward Black females. The court ruled in 1981 that employment policies that banned the natural "afro" were discriminatory; however, braids were not a product of "natural hair growth" and upheld the employment policy banning braids (Simpson, 2017). This case is frequently cited by other courts in defense of employment policies that ban protective styles such as braids, twists, and dreadlocks (Simpson, 2017).

In 2010, Chastity Jones accepted a job offer for a customer service representative for Catastrophe Management Solutions; however, the offer was rescinded when Ms. Jones refused to

cut off her dreadlocks. She was told, "They tend to get messy." The Equal Employment Opportunity Commission (EEOC) filed a suit on Ms. Jones' behalf and lost. The Circuit Court of Appeals agreed with the lower court and dismissed the case in 2016 (Griffin, 2019). In clarifying grooming policies that may violate Title VII of the Civil Rights Act, the Equal Employment Opportunity Commission states:

> Employers can impose neutral hairstyle rules - e.g., that hair is neat, clean, and well-groomed - as long as the rules respect racial differences in hair textures and are applied evenhandedly. For example, Title VII prohibits employers from preventing African American women from wearing their hair in a natural, unpermed "afro" style that complies with the neutral hairstyle rule. Title VII also prohibits employers from applying neutral hairstyle rules more restrictively to hairstyles worn by African Americans. (EEOC, Section 15).

The Effects of Hair Bias

Research shows that hair biases are prevalent in the workplace and can produce discriminatory effects on opportunities for hire, promotion, and compensation (Chambers, 2020; see also Dawson, Karl, & Peluchette, 2019; Johnson, Godsil, MacFarlane, Tropp, & Goff, 2017; Joy Collective, 2019; Koval & Rosette, 2020; Opie & Phillips, 2015). Koval and Rosette (2020) for example, demonstrated across four studies that Black women with natural hairstyles were rated lower by evaluators who rated profiles of Black and White female applicants with different hairstyles. "Black women with natural hairstyles were perceived to be less professional, less competent, and less likely to be recommended for a job interview than Black women with straightened hairstyles and White women with either curly or straight hairstyles" (Koval & Rosette, 2020, p. 1).

Hair bias in the workplace can be either implicit or explicit. Implicit bias refers to unconscious attitudes or stereotypes that may affect our understanding, actions, and decisions (Kirwan Institute, 2015). It reflects the negative images our brain automatically associates with certain groups and can contradict our conscious attitudes. "We can simultaneously reject stereotypes and endorse egalitarian values on a conscious level and also hold negative associations about others or ourselves unconsciously" (Johnson et al., 2017). The "Good Hair" study by Perception Institute (Johnson et. al, 2017) found that a majority of participants, regardless of race, held an implicit bias against Black natural hairstyles.

Explicit bias, however, focuses on our attitudes and beliefs on a conscious level (Perception, 2015). Examples of explicit hair bias against Blacks abound in the United States. For example, a White teacher in Milwaukee reportedly humiliated a 7-year old Black student by cutting off her braid and throwing it in the trash in front of the class (Young, 2014). In 2014, a 12-year Navy veteran was discharged for refusing to cut her natural hair dreadlocks that were worn in a pulled-back bun (Connely, 2014). Dawson, Karl, and Peluchette (2019) recount the experience of a Black woman they interviewed for their study.

> "Today, I had walked into the office wearing office attire and my natural hair up in a professional bun. I was quickly told by operations that I, too, would have to adhere to the dress code. I looked at her and stated that I was dressed professionally today. I then asked by professional do you mean that my hair needs to be relaxed. She stated, yes, that is exactly what I mean."

For Black women, implicit and explicit biases against their natural hair could affect them in many ways. The 2019 CROWN research study by JOY Collective (2019), surveyed 1,017 Black women and 1,050 non-Black women (92% were White) ages 25-64 to investigate racial discrimination in the workplace based on natural hairstyles. The study reported that Black women are 1.5 times more likely than White women to be sent home from the workplace because of their hair and that Black women are 80% more likely to agree with the statement "I have to change my hair from its natural state to fit in at the office" (Joy Collective, 2019).

Opie and Phillips (2015) found that evaluators rated Black female employment candidates with Afrocentric hairstyles as less professional and more aggressive compared to Black females with Eurocentric hairstyles. Dawson and Karl (2018) studied Black female executives and noted that "Eurocentric preferences, stereotypes, and bias seem to have a significant influence on the hairstyle choices of Black women working their way up the corporate ladder and less of an influence on Black female entrepreneurs" (p. 46). The devaluation of Black women's natural hair can case stress, anxiety, and other negative feeling in the workplace. These feelings can affect the mental health of Black women and have a detrimental effect on their workplace productivity (Heinrich & Heinrich, 2020).

While researchers consistently found the existence of bias against Black women with natural hairstyles, a study by Ward (2020) suggests that the preference for Eurocentric or Afrocentric may vary depending on the work environment or the demographic. Respondents in the education field chose Afrocentric hairstyles more frequently than those in the healthcare, law, and business professions, and those in the law field were least likely to select an Afrocentric hairstyle. Johnson and associates (2017) reported that Millennials (women under age 30) had more positive implicit and explicit attitudes toward natural hairstyles suggesting that there may be generational differences in attitudes regarding natural hair.

Economic Considerations

In addition to the negative effects of workplace bias against natural hair, Black women have a significant financial burden in conforming to White beauty standards. The Good Hair study (Johnson, et al., 2017) reported that Black women reported spending more time and money on their hair than White women did. In 2018, the Black hair care industry raked in sales of approximately $2.51 million as Black consumers switched to products designed specifically for them (Holmes, 2020). Over the last two decades, there has been a shift away from relaxed hair to natural hairstyles. The market intelligence agency, Mintel, reports that 20-30% of Black women wore natural hairstyles in 2013; and sales of hair relaxers, which accounted for about 20% of all sales for Black hair products, decreased 26% from 2008 to 2013 (Mintel, 2013; Ndichu & Upadhyaya, 2019).

The New Natural Hair Normal

In 2020, Mintel reported that about 40% of Black women are likely to wear their natural hair with no chemicals and no-heat styling. Home relaxer sales declined by 22.7% from 2016 to 2018 while sales of shampoo by Black consumers increased by 12% and conditioner sales increased by 7% during the same period. "Healthy hair is beautiful hair for the majority of Black consumers, with the Black haircare market adjusting to the new natural hair normal," reported Toya Mitchell, Multicultural Analyst at Mintel. "Many women are making a conscious choice to

wear their hair naturally as they feel empowered to embrace an Afrocentric beauty aesthetic" (Mintel, 2018, para. 4).

Implications for Employers

As African American women embrace their natural hair and resist the unhealthy practices required to conform to Eurocentric beauty standards, employers must ensure that policies and practices do not inadvertently discriminate against this important demographic. The following recommendations can help employers reduce the trauma that Black women may face because of their natural hair, mitigate the harmful effects of implicit and explicit hair bias in the workplace, and create an inclusive environment where all employees can maximize their contribution to the organization.

Diversity and Inclusion as a core value. Most companies have diversity and inclusion statements; however, diversity resistance behaviors may also be on display. Backlash against initiatives designed to increase opportunities for underrepresented minorities, hostility, harassment, or other behaviors that "protects the status quo of privilege and inequality" must be recognized and addressed (Wiggin-Romesburg & Githens, 2018, p. 185; Davidson & Proudford, 2008). Building inclusive workplace cultures requires all levels of leadership to model an environment of inclusion and to take decisive action against efforts to undermine inclusion.

Improve the diversity intelligence of leaders. Diversity intelligence refers to developing expertise in understanding discriminatory behaviors and responding to such behaviors in a non-detrimental way (Hughes, 2018). Leaders must become aware of organizational social justice issues and understand how implicit and explicit biases form to marginalize women of color.

Conduct implicit bias training for all employees. Implicit bias training can help employees understand the forces that contribute to negative stereotyping and take action on how to counteract such forces. It focuses on dismantling bias and discriminatory ideas. Since many people are not aware of unconscious biases, this training can be useful in working against workplace discrimination and prejudices by raising their awareness of these issues (Kirwan Institute, 2015).

Create safe spaces to discuss diversity issues. The company may take several steps to eliminate bias and discrimination, but it takes time to change. Along the journey, employees must feel comfortable discussing diversity issues and feel that it will be safe for them to do so. This may be accomplished by an open door policy or by well-trained human resources personnel. Some companies have established Employee Resource Groups, which are voluntary groups where employees come together to provide resources and support to people of similar backgrounds. These groups can provide mentoring opportunities and social capital to women of color and help the organization with the recruitment and retention of minorities (Alfred, Ray & Johnson, 2019).

Incorporate inclusive workplace practices. Inclusive work practices such as including pictures of Black women with natural hairstyles in company publications and celebrating holidays of different cultures can make employees feel comfortable and welcomed. If the company has grooming policies, "There should be clear, defined standards from the beginning and not randomly changing policies based on who comes through the door" (Asare, 2018, para. 3). Employers should ask: Is an employee able to perform their job adequately with this hairstyle? If the answer is yes, then the employer should re-evaluate any restrictions (Asare, 2018).

The CROWN Act website (thecrowact.com) has resources for individuals and employers to help create more inclusive environments for employees with natural hairstyles.

Limitations and Future Research

Existing research on bias against natural hair bias can serve as a foundation for future research. As ideologies regarding beauty and professionalism are changing, so innovative research methods are necessary to study and counter hair bias in the workplace (Johnson et al., 2016). Perception Institute developed the Hair Implicit Association Test to test implicit bias against natural hairstyles in the workplace. Such tools can be tested and refined by other researchers to address workplace biases.

While this study focused on African American women in the United States, other ethnic identities and men may experience similar biases. Researchers and practitioners must also give attention to these biases to create workplace cultures that are truly inclusive of all employees.

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