THE CITY OF ASHEVILLE

Staff Report

City Council Meeting Date: October 10, 2023

Subject: Recommendation to Amend the Non-Discrimination Ordinance to Include Additional Language Protecting Hair Texture and Hairstyles

Staff Resource(s): Brenda Mills, Equity and Inclusion Director
Alayna Schmidt, Equity and Inclusion Analyst

Action Requested: Adoption of an ordinance to amend Ordinance No. 4370 prohibiting discriminatory practices in private employment and public accommodations to include additional language regarding discrimination protections for natural hair and hairstyles.

Background:

- On March 16, 2023, the Human Relations Commission of Asheville (HRCA) voted 8-0 to recommend that the Asheville City Council adopt a local ordinance modeled after a State bill (NC CROWN Act) to be known as the “Asheville CROWN Act” which is intended to protect from discrimination based on natural hair and hairstyles.
- There is a pre-existing Non-Discrimination Ordinance (NDO; Ordinance No. 4370) which the Asheville City Council adopted in April 2021 to prohibit discriminatory practices in private employment and public accommodations, including discrimination based on natural hair or hairstyle.
- On August 15, 2023, staff presented the HRCA’s recommendation to the Equity & Engagement Council Committee. Given the pre-existing NDO which already includes language around hair, staff recommended revising the existing NDO to include additional language from the HRCA’s recommendation regarding hair texture and examples of protected hairstyles.
- The recommendation as proposed would incorporate language from the NC CROWN Act, which does not currently exist in the City’s NDO.
- On August 15, 2023, the Equity & Engagement Committee voted 2-0 to recommend the Asheville City Council amend the pre-existing NDO with the recommended additional language.
- On August 15, 2023, the Equity and Inclusion staff reached out to Buncombe County’s Equity and Human Rights Office in regards to amending their non-discrimination ordinance and they currently are considering next steps.

Council Goal(s):

- An Equitable and Diverse Community

Committee(s):

- Human Relations Commission of Asheville - March 16, 2023 - Voted unanimously (8-0) to recommend that the Asheville City Council adopt the Asheville CROWN Act.
- Equity & Engagement Council Committee - August 15, 2023 - voted unanimously (2-0) to recommend revising the existing Non-Discrimination Ordinance "to include the proposed additional language regarding hair texture and examples of protected hairstyles" and for staff to outreach to Buncombe County to consider also amending the County non-discrimination ordinance with similar language.

Pro(s):

- This amendment provides additional language to the existing NDO to add specificity to the current protections afforded to natural hair and hairstyles.

Con(s):

- None noted.

Fiscal Impact:

- This action requires no City resources and has no fiscal impact.

Suggested Motion:

- Motion to amend the Ordinance 4370 to include the proposed additional language regarding hair texture and examples of protected hairstyles.

Attachment(s)

HRCA Recommendation from March 16, 2023 Meeting
Amended Ordinance with changes