

RESOLUTION RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Fair Employment and Housing Act (FEHA) and the Educational Equity provisions of the California Educational Code make it unlawful to discriminate against individuals based on immutable characteristics in employment, housing, and education; and

WHEREAS, certain physical traits, including hairstyles and hair textures, have been associated with racial, ethnic, or cultural identity; and

WHEREAS, a history of discrimination and prejudice has led to an implicit bias against these physical characteristics which have served to deny economic and educational opportunities for individuals of color; and

WHEREAS, in order to mitigate prejudice, individuals are forced to alter their hair or other physical characteristics in degrading or harmful ways in order to access opportunities that should be equally accessible to all; and

WHEREAS, in 2016, the 11th US Circuit Court of Appeals denied an appeal of EEOC vs. Catastrophe Management Solutions and the Supreme Court subsequently declined to hear the case, allowing for discrimination based hair texture or hairstyle nationwide; and

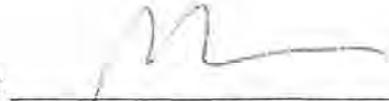
WHEREAS, currently pending before the California State Senate is SB 188 (Mitchell) which would make discrimination based on traits historically associated with race, including hair texture and protective hairstyles, unlawful under the Fair Employment and Housing Act and the Educational Equity provisions of the California Education Code; and

WHEREAS, the bill would provide protection which has been deferred by the courts by defining "race or ethnicity" in FEHA as including physical characteristics, including hairstyles, which have been associated with race; and

WHEREAS, women of color are the most common victims of this kind of discrimination, and these protections will help to improve the opportunities for women of color and the overall gender pay gap; and

WHEREAS, providing relief for discrimination not covered by federal laws will ensure equal opportunity, protect individuals from harmful grooming practices, and result in the deterioration of implicit biases that have been prevalent for decades;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-2020 State Legislative Program SUPPORT for SB 188 (Mitchell) which would make discrimination based on traits historically associated with race, including hair texture and protective hairstyles, unlawful under the Fair Employment and Housing Act and the Educational Equity provisions of the California Education Code.

PRESENTED BY: 
MARQUEECE HARRIS-DAWSON
Councilmember, 8th District

SECONDED BY: 

abg  Monica Rodriguez Councilmember

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