

Puerto Rico Enacts Law Against Discrimination Based on Hairstyles

By Ana B. Rosado-Frontanés & Tatiana Leal-González

July 25, 2024

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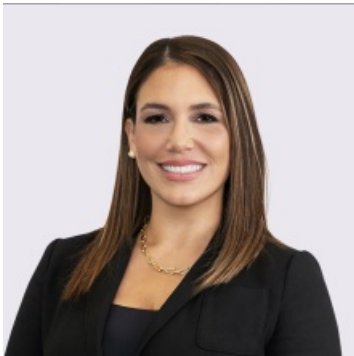


Ana B. Rosado-Frontanés

Of Counsel

787-522-7314

Ana.Rosado@jacksonlewis.com



Tatiana Leal-González

Associate

787-522-7305

Tatiana.Leal-

Gonzalez@jacksonlewis.com

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New Puerto Rico law prohibits discrimination in public services, employment, education, and housing based on protective hairstyles or hair textures often associated with specific racial and national origin identities.

The Law Against Discrimination Based on Hairstyles (Senate Bill 1282) extends crucial protections to individuals with certain hair textures or hairstyles in both the public and private sectors. It took effect immediately upon signing by Governor Pedro R. Pierluisi on July 24, 2024.

The new law states that it is the public policy of the Government of Puerto Rico to reject discrimination in public services, employment, education, and housing based on the use of protective hairstyles or hair textures often associated with specific racial and national origin identities. The law defines “protective hairstyles” as those used to maintain curly hair naturally, including, without limitation, tight curls or coils, locs, cornrows, twists, braids, Bantu knots, and afros.

Employment

Employers are prohibited from suspending, refusing to employ, dismissing, or otherwise taking adverse employment action against an individual due to their protective hairstyles and hair textures.

The new law amends Puerto Rico Act No. 100 of June 30, 1959, known as the Puerto Rico Anti-Discrimination Act, to include discrimination based on protective hairstyles and hair textures as a protected category. It also amends Puerto Rico Act 90-2020, the Law to Prohibit and Prevent Workplace Harassment in Puerto Rico, to classify comments or mockery about an employee’s physical appearance, dress, or protective hairstyles and hair textures made in public as workplace harassment.

Employers should review their policies and consider training for employees and managers to help ensure compliance with the new law.

Public Service, Housing, Education

No individual may be denied access, service, or equal treatment in public places and businesses (as defined by the Civil Rights Act of Puerto Rico) for having such protective hairstyles and textures under the new law.

The law also protects individuals with these hairstyles and textures from discrimination in housing acquisition and leasing processes, as well as in the public and private school systems.

The law requires all public agencies instrumentalities, departments, and corporations of the Executive Branch to revise their personnel regulations to clearly state the public policy established by the law. Private employers and educational institutions should also revise

their policies to ensure compliance with the law.

Enactment of the Law Against Discrimination Based on Hairstyles marks a significant step toward ensuring equality and respect for individuals with diverse hair textures and styles, reflecting a broader commitment to combat racial and national origin-based discrimination in Puerto Rico.

Please contact a Jackson Lewis attorney with any questions.

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