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LDF Files Supreme Court Petition in Major Employment Discrimination Case Targeting Natural Black Hairstyles

The Eleventh Circuit Court of Appeals erroneously ruled that an employer rescinding a job offer to a qualified Black woman solely because she wore her hair in dreadlocks (“locs”) does not violate federal civil rights law, according to a [petition](#) filed by the NAACP Legal Defense and Educational Fund, Inc. (LDF) in the U.S. Supreme Court.

LDF filed its petition on behalf of Chastity Jones, an African-American woman who was hired in 2010 as a customer service representative with Catastrophe Management Solutions (CMS) at its Mobile, Alabama call center. In her job interview, Jones wore a blue business suit with dark pumps and had her hair in short, well-maintained locs—a Black natural hairstyle also worn by acclaimed public figures such as Toni Morrison, Alice Walker and Ava DuVernay.

Jones’ case alleges that in a private meeting after she was offered the job, the HR manager asked if her hair was in dreadlocks. When Jones responded that it was, the HR manager informed her that the company could not hire her because of her hair and revoked her job offer. The HR manager justified this decision by expressly relying on the racial stereotype that “locs tend to get messy,” while also acknowledging that Jones’ own hair, which was styled in locs, was not messy.

“This case gets at the heart of a Black person’s ability to compete in the workplace without yielding to the false idea that their hair is inherently unprofessional,” said [Sherrilyn Ifill](#), President and Director-Counsel at LDF. “That a Black natural hairstyle will inevitably become too ‘messy’ or ‘unkempt’ to be tolerated in the workplace is steeped in impermissible stereotypical thinking. Our federal civil rights laws were specifically designed to root out subtle racially-discriminatory practices such as this—neutral policies, proxies, racial stereotypes, all of it.”

The Equal Employment Opportunity Commission (EEOC) brought the underlying lawsuit against CMS in 2013 on behalf of Jones, alleging racially disparate treatment under Title VII of the Civil Right Act of 1964, which prohibits a broad spectrum of discrimination in the employment setting.

The Court of Appeals incorrectly upheld the erroneous lower court decision, dismissing the lawsuit and ruling that disparate treatment claims under Title VII are limited to discrimination based on “immutable” physical characteristics. Under this misguided standard, the court concluded that even though CMS denied Jones employment based on a racial stereotype about her natural hair, Title VII provides no relief because locs are not immutable characteristics of Black people and are therefore not protected under the law.

If allowed to stand, the Court of Appeals' ruling means that Title VII is powerless to counter employment discrimination based on many racial stereotypes, and effectively permits employers to ban natural Black hairstyles in the workplace.

But this analysis contradicts Supreme Court precedent established in its seminal 1989 decision *Price Waterhouse v. Hopkins*, which ruled that Title VII prohibits discrimination based on stereotypes, regardless of whether the stereotype focuses on mutable or immutable traits. Every appellate court that has considered a similar legal question has consistently followed the Supreme Court's guidance in *Price Waterhouse*. The Seventh Circuit, based in Chicago, even held that Title VII bars an employer from taking a negative employment action against a Black employee because she wore her hair in an afro.

Like Jones, many African Americans face barriers or judgments in the workplace when they display their natural hair. Locs in particular have long been the target of deep-seated negative stereotypes about Black people and their hair—mainly, that Black hair is dirty, unprofessional, or unkempt. In fact, the term “dreadlocks” originated from slave traders who described Africans' hair that had naturally formed into locs as “dreadful.” For Black women in particular, who wish to succeed in the workplace, these stereotypes often compel them to undertake costly, time-consuming and harsh measures to straighten their hair to conform to the predominant white culture.

LDF's petition urges the Supreme Court to consider Jones' case to correct the Court of Appeals' ruling that departs from established Supreme Court precedent and conflicts with other circuit courts that have decided similar questions but have reached the correct conclusion. The idea that locs will inevitably become messy, and are therefore unprofessional, is a false racial stereotype that eliminated an employment opportunity for Ms. Jones. Such discriminatory employment practices are what federal civil rights laws were enacted to prevent.

Read the full petition [here](#).

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.