

**Summary**

**Board Bill Number 222**

**Primary Sponsor: Alderwoman Shameem Clark -Hubbard**

**January 8, 2021**

The proposed bill will prohibit discrimination in employment and housing decisions including, without limitation hiring, advancement and compensation and discrimination in housing practices based upon an individual's hairstyle, protective hair, or natural or cultural hair texture or style.

**BOARD BILL NUMBER 222 INTRODUCED BY: ALDERWOMAN SHAMEEM CLARK-HUBBARD**

1 An ordinance prohibiting discrimination in employment and housing decisions including,  
2 without limitation hiring, advancement and compensation and discrimination in housing  
3 practices based upon an individual's hairstyle, protective hair, or natural or cultural hair texture  
4 or style.

5 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

6 **SECTION ONE. Definitions.** As used in this ordinance, unless a different meaning clearly  
7 appears from the context in which used, the following terms and phrases shall be taken to have  
8 the meaning ascribed to them in this section, to wit:

- 9 1. "Academic, professional or vocational school" includes any person who trains and  
10 teaches individuals to engage in any trade, business, profession, calling or vocational  
11 pursuit.
- 12 2. "Adverse employment action" includes, but is not limited to, termination, demotion or  
13 refusal to promote or advance, loss of career specialty, reassignment to a different shift,  
14 reduction of wages or benefits, refusal to provide training opportunities or transfer to a  
15 different department, adverse administrative action, or any other penalty, disciplinary or  
16 retaliatory action.
- 17 3. "Aggrieved person" includes any person who claims to have been injured by a  
18 discriminatory act or practice described herein.
- 19 4. "Discriminatory practice" means an act that is prohibited by the provisions of this  
20 chapter.

- 1        5. "Dwelling" means any building, structure, or portion thereof which is occupied as, or  
2        designed or intended for occupancy as, a residence by one or more families, and any  
3        vacant land which is offered for sale or lease for the construction or location thereon of  
4        any such building, structure, or portion thereof.
- 5        6. "Employer" includes any person who employs six or more persons exclusive of that  
6        person's parents, spouse or children.
- 7        7. "Employment agency" includes any person undertaking for compensation to procure  
8        opportunities to work or to procure, recruit, refer or place employees.
- 9        8. "Financial institution" means bank, banking organization, mortgage company, insurance  
10       company, investment company or other lender to whom application is made for financial  
11       assistance for the purchase, lease, acquisition, construction, rehabilitation, repair,  
12       maintenance, or improvement of real property, or an individual employed by or acting on  
13       behalf of or as agent of any of these.
- 14       9. "Individual" means one or more individuals.
- 15       10. "Hairstyle" includes hair textures and styles of any hair length such as protective hair and  
16       cultural hair textures and styles, and other forms of hair presentation.
- 17       11. "Labor organization" includes any organization which exists for the purpose, in whole or  
18       in part, of collective bargaining or of dealing with employers concerning grievances,  
19       terms or conditions of employment, or for other mutual aid or protection in relation to  
20       employment.

1 12. "Person" includes one or more individuals, partnerships, associations, unincorporated  
2 organizations, corporations, mutual companies, joint stock companies, legal  
3 representatives, trusts, trustees, labor organizations, fiduciaries, trustees in bankruptcy,  
4 and/or receivers.

5 13. "Protective hair, natural and cultural hair textures and hairstyles" include hairstyles and  
6 hair textures most commonly associated with race, including, without limitation, braids,  
7 cornrows, locs, Bantu knots, Afros, and twists, whether or not hair extensions or  
8 treatments are used to create or maintain any such hairstyle, and whether or not the  
9 hairstyle is adorned by hair ornaments, beads or headwraps.

10 14. "Real estate broker" or "Real estate salesman" has the same definition as contained in  
11 Ordinance 67119.

12 15. "Realty" includes real estate, lands, buildings, structures, housing accommodations,  
13 dwellings, tenements, leaseholds, cooperatives, condominiums, and hereditaments,  
14 corporeal or incorporeal, or any interest in the above.

15 16. "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration  
16 the right to occupy premises not owned by the occupant.

17 **SECTION TWO. Prohibitions.**

18 A. *General Prohibition.* Discriminatory practices, as defined and established by this section, are  
19 prohibited. Any person engaging in a prohibited discriminatory practice shall be guilty of an  
20 ordinance violation, which shall be punishable in the manner set out in this chapter.

21 B. *Discrimination in Employment.* It shall be a prohibited discriminatory employment practice:

- 1       1. For an employer to fail or refuse to the hire, to discharge or otherwise discriminate against  
2           any individuals with respect to compensation, advancement and promotions, or the terms,  
3           conditions or privileges of employment, because of hairstyle, protective hair, or natural  
4           or cultural hair texture or style unless based upon demonstrable workplace safety  
5           concerns directly related to duties and responsibilities of the employment position;
  
- 6       3. For a labor organization to exclude or expel from membership, or otherwise to  
7           discriminate against any applicants or members, because of hairstyle, protective hair, or  
8           natural or cultural hair texture or style;
  
- 9       4. For an employment agency to fail or refuse to refer for employment, or otherwise to  
10           discriminate against any individuals because of hairstyle protective hair, or cultural hair  
11           texture or style;
  
- 12      5 For an employer, labor organization or employment agency to print or circulate or cause  
13           to be printed or circulated any statement, advertisement or publication which directly or  
14           indirectly expresses any preference, limitation, specification or discrimination because of  
15           protective hair, or cultural hair texture or style;
  
- 16    C. *Discrimination in Provision of Housing or Realty.* It shall be a prohibited housing or realty  
17           practice and shall constitute a discriminatory housing practice:
  - 18      1. For any person, including, without limitation, any real estate broker, salesman or agent, or  
19           any employee thereof, to discriminate against any individuals because of their hairstyle,  
20           protective hair, or cultural hair texture or style with respect to the use, enjoyment or  
21           transfer, or prospective use, enjoyment or transfer, of any interest whatsoever in realty, or

1 with respect to the terms, conditions, privileges or services granted or rendered in  
2 connection therewith, or with respect to the making or purchasing of loans for the purchase  
3 or maintenance of residential real estate or loans in the secondary market, or the provision  
4 of other financial assistance, or with respect to the terms, conditions, privileges or services  
5 granted or rendered in connection with any interest whatsoever in realty, or with respect to  
6 the making of loans secured by residential real estate;

7 2. For any person, including, without limitation, any banking, money lending, credit securing  
8 or other financial institution, or any officer, agent or employee thereof, to discriminate  
9 against any individuals because of hairstyle, protective hair, or cultural hair texture or style  
10 with respect to the granting or withholding of credit or financial assistance, or the extending  
11 or renewing of credit or financial assistance, or modifying of rates, terms, conditions,  
12 privileges or other provisions of credit or financial assistance, or services retained or  
13 rendered, in connection with the transfer or prospective transfer of any interest whatsoever  
14 in realty, or in connection with the construction, repair, improvement or rehabilitation of  
15 realty;

16 3. For any person to refuse to sell or rent after the making of a bona fide offer, or to refuse to  
17 negotiate the sale or rental of, or otherwise make unavailable or deny a dwelling to any  
18 persons because of their hairstyle, protective hair, or cultural hair texture or style;

19 4. For any person to discriminate against any other person in the terms, conditions, or  
20 privileges of sale or rental of a dwelling, or in the provision of services or facilities in  
21 connection therewith, because of that person's reproductive health decisions or pregnancy  
22 status (including childbirth or a related medical condition);

1        5. For any person to represent to another person because of their hairstyle, protective hair, or  
2        cultural hair texture or style that any dwelling is not available for inspection, sale, or rental  
3        when such dwelling is, in fact, so available;

4        6. For any person to deny any other person access to or membership or participation in any  
5        multiple-listing service, real estate brokers' organization or other service, organization or  
6        facility relating to the business of selling or renting dwellings, or to discriminate against  
7        them in the terms or conditions of such access, membership, or participation because of  
8        their hairstyle, protective hair, or cultural hair texture or style;

9        **SECTION THREE.** Complaints, proceedings and enforcement. An aggrieved person may, not  
10       later than one hundred eighty (180) days after an alleged prohibited discriminatory practice has  
11       occurred or terminated, file a complaint with the Director of the Civil Rights Enforcement  
12       Agency pursuant to the procedures set forth in Ordinance 67119. Such complaints shall be taken,  
13       investigated, processed and enforced according to the terms and provisions of Ordinance 67119.