



**Pete Ricketts**  
Governor

## STATE OF NEBRASKA

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August 15, 2020

Mr. President, Mr. Speaker, and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 1060 without my signature and with my objections.

I agree with the intent of LB 1060 to protect people against racial discrimination.

LB 1060 would add a new definition of "race" that would apply in all discrimination cases arising under the Nebraska Fair Employment Practice Act. The new definition would state "race includes, but is not limited to, hair texture and protective hairstyles; and protective hairstyles includes, but is not limited to, hairstyles such as braids, locks, and twists."

The bill covers features based on mutable characteristics that are not attributable to one racial group. While hair type is an immutable characteristic, hairstyles can easily be changed. Additionally, the hairstyles named in the bill (locks, braids, and twists) are not exclusively worn by one race.

While I agree with the goal, I object to the form of the bill. It needs to add protections for employees based upon their immutable hair texture and to also add protections for employers centered on health and safety standards.

As written, the bill fails to provide health or safety exceptions for employers. For example, employees who work in food service or around heavy machinery are often required to wear their hair a certain length or tie back or cover their hair in order to ensure their safety, as well as the health and safety of the public.

Under LB 1060, an employer would be unable to uniformly apply its grooming policies without fear of violating the Nebraska Fair Employment Practice Act. Additionally, since the changes in LB 1060 will apply to state agencies and political subdivisions, it will preclude law enforcement agencies across the state from being able to maintain long-standing personal grooming policies.

Clearly, there is a need to provide appropriate protections for African Americans and others so that their unchangeable hair textures cannot be used as a reason for bias or discrimination in the workplace. I am committed to working with the Legislature to enact a statute early in the upcoming session that will achieve this important purpose but in a manner that focuses on immutable race characteristics and provides employer flexibility.

For these reasons, I vetoed LB 1060. Given that the Legislature has adjourned sine die, I filed the vetoed bill with the Nebraska Secretary of State.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pete Ricketts", is written over the printed name.

Pete Ricketts  
Governor