

Not a matter of style: Factor safety, liability into dress code



A recent [HR Specialist](#) poll found that casual attire is the norm in 88% of our readers' workplaces. But a culture of dressing down doesn't mean organizations don't need a dress code.

What people wear to work is more than a matter of personal preference. Although you don't want to restrict your employees' personal choices unnecessarily, you can set rules that promote a safe and efficient workplace. You can require employees to wear attire that is appropriate for their jobs and for your company.

One area of primary concern is safety. You could be held liable for not requiring workers to wear helmets, shoes, safety glasses or any special clothing necessary to protect them from workplace hazards. You also need to ban certain accessories—jewelry, for example—or loose clothing that could be potentially hazardous in some workplaces.

Where safety issues are involved, you must ensure that all workers are aware of your dress policy. Spell out penalties for violations of safety-related dress codes.

A dress code does not have to treat men and women exactly the same, as long as the issues addressed are relatively minor. Thus you might prohibit earrings for men but not for women. You could require men, but not women, to wear their hair short.

Accommodating religious attire

Title VII requires you to "reasonably accommodate" workers who want to wear religious clothing as long as it does not impose an "undue hardship" on your business—that is, the accommodation does not affect your company's image, pose a safety or health risk, adversely affect morale and productivity, force you to show favoritism to a religious employee or violate the law.

You only need to accommodate employee attire needs when they are based on a bona fide belief. To qualify, the belief must only be sincerely held—the employee doesn't have to be a member of an established religion.

Note: You can specify that religious clothing be neat and clean. And you can require that workers tuck in loose clothing to keep it from getting caught in potentially dangerous machinery.

Sample policy: Employee dress code

XYZ employees are expected to wear appropriate attire. Employees are expected to dress neatly and to exercise common sense in selecting clothing and footwear appropriate for our business environment. Hair should be neatly groomed.

Management in XYZ offices may declare certain days to be Casual Dress Days. Employees should wear appropriate casual clothing that is neat, clean and not overly revealing. Participation in Casual Dress Day is a personal decision. Employees are expected to use good judgment to ensure that their attire is appropriate for all activities (including meetings and client contact). General guidelines regarding attire still apply on Casual Dress Days. Field locations may adopt modified guidelines appropriate to their environment.

Shorts (except knee-length shorts), tank tops, mesh shirts, cutoff shirts, flip-flops, sweat pants, jogging suits, caps, ripped jeans and T-shirts with controversial slogans are not appropriate. Jeans and athletic footwear are acceptable as long as they are in presentable condition. As on regular workdays, managers/coaches have the final say on what is appropriate attire for Casual Dress Days.