

# Close shave: Is it legal to set a no-beard facial hair policy for male staff?

Working from home during the COVID-19 pandemic provided many men the welcome opportunity to grow out facial hair. But as vaccination efforts and waning occupancy restrictions continue to allow more workers back into offices, will those razors come out of retirement?

Undoubtedly, some men will choose to go back to shaving regularly. Others may not want to abandon their new look. Depending on the facial hair policies of their employer, the beard may stay or need to go.



## Are facial hair policies legal?

While many organizations do not mind if employees sport facial hair, some employers like a clean-shaven culture. They believe the look best represents their brand. Others allow facial hair to a degree, such as setting rules about beard length.

Workers often feel that a company should not be entitled to make such demands. Legally, though, private employers do have the right to set their own dress and grooming codes. They can set standards regarding facial hair as long as the requirement to shave does not infringe on the employee's civil rights or cause undue hardship.

While workers may think any action to control how someone looks violates civil rights, courts typically do not see it this way. Rather, two main reasons exist for employee exemption from a facial hair policy.

## Religious accommodations

Federal regulations prohibit religious discrimination. If an employee's religion prevents him from shaving, an employer cannot require it. In the Sikh faith, for example, a beard represents a sincerely held religious belief. Letting a follower keep the beard represents a reasonable accommodation for religious practices.

## Medical accommodations

Some men suffer from Pseudofolliculitis Barbae or other skin conditions that make shaving painful and cause skin irritation and bumps. Allowing those afflicted to keep their beard is in their best interest.

## Facial hair policy considerations

Even religious and medical cases, however, are not always cut and dry. Things get murky if a legitimate safety concern exists. In an environment with respiratory hazards, for instance, an employer could claim employees need to wear snug respirators and that a beard causes an improper fit. Companies should seek legal counsel for such circumstances.

Just because private employers legally can adopt facial hair policies does not necessarily mean they should. Like all grooming policies, think about the effect on workplace culture and company image.

For starters, banning facial hair can make an organization seem old-fashioned. Plenty of men throughout the world sport fashionable beards, goatees, and well-crafted stubble. Saying such looks do not have a place in your office can seem narrow-minded.

Second, people oftentimes do not take kindly to things they see as limiting their freedom of expression. Prohibiting facial hair for reasons other than safety concerns may seem “Big Brotherish.” Additionally, it make prospective talent wonder about your commitment to diversity. UPS for one freely admits that employee feedback contributed to [recently lifting the delivery service’s ban on beards](#), as workers said that changes to dress and grooming policies would make them more likely to recommend UPS as an employer.

### How some companies are striking the balance

But what if you’re concerned about presentation? After all, organizations do have a vested interest in how their employees appear to others. Guidelines that address your desires but keep away from stepping too much on toes may be the answer.

“We have a facial hair policy as part of a broader dress code and grooming policy,” says Daivat Dholakia, director of operations at [Force by Mojo](#). “We require that facial hair be neatly trimmed and that’s it. While some companies have more extensive policies that regulate hair color or even mandate a list of acceptable hairstyles, we do believe in maintaining creative expression among employees by allowing them to maintain personal styling habits. We only ask that they fall within what is considered to be acceptable professional attire and presentation. Our employees serve as the faces of our company, so being well-groomed made sense as an ask from us.”

Echoes Trevor Larson, CEO of [Nectar HR](#), “We have facial hair policies in effect in the office for everyone, but they are not overly stringent. Beards and facial hair are in fashion and are widely accepted, but they must be well maintained. That means nothing that obstructs a person’s mouth. The neck must be clean. It must be groomed, and it should never smell bad. In terms of length, the standard corporate beard length of 0.5 to 1” is in effect and it has to be evenly trimmed around the edges. We have exceptions in place for religious and cultural reasons, but otherwise, the policy is there to ensure that people look presentable to their coworkers and, above all else, our clients.”

Whatever your company selects as its stance on facial hair, one thing definitely needs to stay top of mind — fairness. Be consistent in your policy. Sporadic enforcement gives the impression of favoritism or discrimination, and that’s never a desirable appearance.