

Can we require male employees to keep their hair cut short?

Q. May we require male employees' hair be a certain length, or is that discrimination? Also, may we prohibit beards?

A. It is permissible to have a grooming code, as long as the code imposes equivalent burdens on both sexes. Requiring male employees' hair to be a certain length is lawful if the grooming policy as a whole is not harsher on males. In other words, the policy should also contain restrictions on grooming or dress for women.

There are two caveats here, though. The Civil Rights Act of 1964 requires employers to accommodate an employee's religious beliefs as long as doing so does not create an undue burden on the employer. If the employee wears his hair or beard in a way dictated by religious beliefs, you should consider discussing a reasonable accommodation.

Similarly, men of African and Middle Eastern descent are more prone than others to pseudofolliculitis barbae, a condition that makes shaving very uncomfortable. Men with this condition may have rights under the ADA.