

# Whatever happened to casual days at work?

Rules governing employee appearance getting tougher due to economy



Fabrice Coffrini / AFP - Getty Images  
Commuters walk past the entrance of a branch of Switzerland's largest bank UBS. The bank has sent its Swiss retail banking staff a 43-page code with advice on how to impress customers with a polished appearance. The detailed rules even mandate underwear color.

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Last week, a 43-page dress and grooming code at Swiss bank UBS was leaked to the media, and the rules included everything from touching up hair dye jobs to the [quality](#) of an employee's underwear.

While there was outrage over the draconian nature of the guidelines, such appearance mandates are becoming more prevalent in the workplace.

Lindsey Sparks' last job with a staffing firm in Oklahoma City had a restrictive dress code policy that required female employees to wear [skirt](#) suits and pantyhose at all times, even if they worked on weekends. And there was even a manager at the company that chastised workers for not wearing lipstick.

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"Their dress code was so sexist I'm not sure why I put up with it as long as I did," said Sparks, who left Express Employment Professionals in June after eight years with the company.

"Although I left the company amicably," Sparks said. "I'm still appalled by the dress code."

Restrictions on the way workers dress and groom themselves have long been a contentious issue in the nation's workplaces, but in most cases such guidelines have been found to be legal. And the rules governing employee appearance are only getting tougher thanks to the weaker economy.



"Dress codes are tightening up," said Dick Lerner, author of "Dress Like The Big Fish."

"The takeaway from this recession is the reality most firms are doing more with less. For survival, there has been a lot of belt-tightening and companies look at every aspect of their business, and that includes who will keep their job and who won't," he said.

As a result, Lerner added, "Sloppy dress in the workplace is gone. [Businesses](#) can't afford sloppy dress, sloppy work, sloppy attitude."

Indeed, some firms are ratcheting up the fashion police.

UBS got a lot of negative publicity when its 43-page dress-and-grooming edict got out. The over-the-top rules included restrictions on the length of male employees' nails; when female employees are supposed to put on [perfume](#) and how much; and they even mandated the color of worker underwear and said the undergarments should be "of superior quality textiles," according to a report in the Christian Science Monitor last week.

(UBS officials declined to comment for this column.)

While the bank's policies may seem outrageous, many legal experts say the UBS rules and similarly tough guidelines at many other U.S. [companies](#) probably don't run afoul of labor laws.

When it comes to federal regulations, "employers have a lot of discretion with grooming and dress code policies," said Beth Schroeder, a labor lawyer for Silver & Freedman in Los Angeles.

But, she added, states may differ when it comes to what's permissible. She pointed to California as one of the only states where you can't require women to wear a dress unless it's part of a uniform.

If it's a uniform, then employers may have to pay for the cost. It's considered a uniform when an employer requires workers to wear a particular outfit that's not something an employee would readily or easily buy on their own, she maintained.

So, in the case of UBS requiring a certain type of underwear fabric the case could be made that it is part of a uniform, Schroeder said.

Express Employment Professionals, which has long had a dress code policy, provides "employees an additional monthly stipend, recognizing the cost of maintaining a professional image," said Jennifer Anderson, a spokeswoman for the firm.

As for making women at the firm wear lipstick, as Sparks contended, Anderson said:

"If that indeed happened, that individual was not speaking on behalf of the company." And, she added, "The dress code is flexible in that it allows Express to make accommodations for religious and medical reasons."

As for UBS' dress code, Sarah Pierce Wimberly, a partner at Ford & Harrison in Atlanta, thought the length of the bank's work attire policy seemed excessive because most employee dress guidelines are typically two pages and fairly basic. But, she explained, detailed rules governing appearance have long been a workplace mainstay in certain industries, such as food service and aviation.



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"The airlines are a good example of employers that have detailed dress and grooming requirements," she said. "They dictate that you can't wear garish makeup, hair should be of a certain length, or gathered up, and hands should be well groomed, no long nails, and some are specific on how long, and the nail polish colors."

And many firms across industries require men to be clean-shaven, she added.

Worker rights issues arise, Wimberly continued, when rules on appearance impact a certain group more than another.

For example, policies that call for men to be clean-shaven can adversely impact some African-American men who may have a condition called pseudofolliculitis barbae that can cause infections and acne after shaving.

There may also be a religious exemption for some workers when it comes to certain dress codes, including things like hijabs worn by Muslim women, or turbans worn by Sikhs.

Cases that are brought to the Equal Employment Opportunity [Commission](#) regarding dress or grooming code typically fall under religious and national origin discrimination.

One recent case involved an employee at a security company who was a Mennonite Baptist and maintained she had to wear a headscarf for religious reasons. Her employer said she had not followed the dress code policy and fired her. The EEOC sued the company earlier this year on the grounds that her employer discriminated against her because of her religion.

The reason many employers decide to implement dress codes, particularly during tough economic times, is they want to boost employer productivity and thus boost their sales, legal and workplace experts said.

One year ago, the Knowland Group, providers of data and support for the travel industry, implemented a dress code in its call center in Salisbury, Md., and saw a boost in productivity as a result.

Spandex and sneakers were banned, as were revealing [clothing](#) and flip-flops.

At first, employees were not happy about the new rules, but they quickly accepted them after a few workers were sent home for wearing sneakers, Knowland's CEO Mike McKean said.

Since introducing the dress code, he added, attendance and performance have improved and employees "act more professionally with each other."

Even if your company doesn't have spelled-out criteria on what you should wear, your boss may still be watching you.

Gail Warner, a wardrobe consultant and president of GKW Communications, was recently called in to work with a female employee for a Fortune 500 company in Ohio who was a rising star but considered a shabby dresser by her manager.

The non-fashionista had lost 140 pounds over 14 months and was wearing clothing that was four sizes too big for her.

"Her boss thought the [clothes](#) she was wearing were doing her a disservice," Warner said. After working with the employee, going through her closet and helping her purchase appropriate attire, "there was a change in her posture and attitude," she said.

While getting employees to dress better at work, or mandating fashion rules, may seem like good solutions to some, Michelle Randall, the principal of Enriching Leadership International, a global consulting and executive coaching firm, sees these actions as signs of lazy management.

"Employee dress codes are an attempt to stamp out individuality and a physical reflection of management's inability to lead an agile organization," she explained. "Dress codes send a message to employees that they should abandon their personality and individuality for the job. This neuters the workplace and makes it pretty shallow."

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