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Workplace Dress Codes: The Issue We Love To Discuss But Hate To Manage

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Many people have strong opinions about what constitutes appropriate work attire and could spend hours expounding on their favorite brands of clothing or personal care products. Ironically, our passion for fashion is often coupled with a reticence to actively manage workplace dress codes.

The reasons for this reticence are well founded. Errant comments about a colleague's physical appearance could be used as evidence of unlawful harassment or discrimination. For example, the comment that a female employee should "walk more femininely, talk more femininely, dress more femininely, have her hair styled, and wear jewelry" if she wanted to make partner at an accounting firm was held to be direct evidence of unlawful sex stereotyping. *See Price Waterhouse v. Hopkins*.

But the potential for legal liability is a bad reason to not manage your workplace dress code. Indeed, if your dress code is not actively managed then the organization's risk profile will increase, not decrease. Whether we want to admit it or not, most managers have strong views about what constitutes appropriate attire and those views will influence them when they make employment decisions. Therefore, an organization that sweeps dress code management under the rug may fail to uncover damning statements, like those made in *Price Waterhouse v. Hopkins*, until it is too late.

Workplace dress codes also have a major effect on organizational culture. As Newsweek recently discovered, strict dress codes that do not mesh with the organization's culture can cause an extreme amount of backlash. Newsweek's new owner, International Business Time ("IBT"), recently issued a new workplace dress code that prohibits "denim jeans, sweat suits, low-rise pants, sneakers, sandals, flip-flops, halter tops, camisoles, baseball caps and shorts." This is not an unusual policy. But news rooms tend to be fairly casual and it is not uncommon to see people wearing some of the items listed. Not surprisingly, many of Newsweeks' employees were outraged and anonymously leaked the policy onto the internet amid a stream of criticism.

This is a perfect example of a problem that could have been avoided with open and active discussion. IBT ignored fundamental aspects of newsroom culture and as a result implemented a policy that many viewed as unwarranted. An organization cannot always do exactly what its employees want. But it can implement new policies in a way that causes less push-back.

Workplace Dress Codes – To Do List

1. Assess your organization's culture and values.
2. Make sure the dress code aligns with the existing culture and values.
3. Implement the dress code only after open and active discussion with employees.
4. Ensure that the policy is being consistently managed and enforced throughout the organization.