

Exactly What to Say When Setting Up Your First Dress Code Policy

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We're all familiar with the idea of dress codes, and not just at work. Ever seen an invitation that says "black tie required" or a sign scrawled with "no shoes, no shirt, no service?"

But the actual mechanics of creating and enforcing an office dress code policy can make even the most experienced business owner—and even [HR expert](#)—tremble.

This piece will explain some standard types of dress codes, the reasons you should have one, and common pitfalls to avoid when setting up your first policy. We'll also give you a sample business dress code policy you can use as a starting point.

Wait, do I even need a business dress code policy?

The idea behind an office dress code is simple: To guide employees on what is acceptable work attire, and to [create a policy that you can enforce](#) if people ever violate it.

You want to strike a good balance between setting an appropriate tone for your workplace and allowing employees some freedom in their personal style. At the same time, you need to ensure you don't violate any state or federal laws in either your dress code policy itself or the enforcement of it.

If that sounds like a delicate (and potentially stressful) balance, it is. And that's why many employers dodge the dress code issue entirely.

But in my opinion, that's a huge mistake. A dress code provides three important things for your team:

- Structure
- Clarity
- Guidelines

This, in turn, can reduce stress for employees because they know exactly what your expectations are.

And here's a little secret—whether your dress code is written down or not, you have one anyway, based on common practice. Many of us, at one time or another, have flipped through our mental files of what we've seen other people wearing when deciding whether something in our closet is appropriate for work.

So you may as well get your dress code down on paper and shape it in a way that makes sense for the type of business you run.

The 4 most common types of workplace dress codes

First, let's understand what an office dress code might look like. Here are a few common types of dress codes at small businesses:

1. Formal business attire

This type of professional dress code means that business suits are required, period.

Formal business attire generally involves pantsuits, skirt suits, and a suit and tie (no sport coats).

Employees must wear closed-toe shoes and, if someone is wearing a skirt suit, stockings.

- **Pros:** There's little room for error or creative interpretation.
- **Cons:** It's becoming archaic in all but the most traditional workplaces, like law and accounting firms.

2. Business casual dress code

This can mean different things in different workplaces, but it often includes restrictions on T-shirts, jeans, sandals, flip-flops, and shorts.

- **Pros:** Business casual is the default for most workplaces these days, so it's widely understood and accepted.
- **Cons:** There's lots of wiggle room here because many everyday wardrobes fall somewhere on the "business casual" spectrum.

3. Casual dress code

This is one step down from business casual, and it's most common in small and creative workplaces, like tech startups and creative agencies.

Jeans and T-shirts are typically okay with a casual dress code policy.

- **Pros:** Employees are usually fans of casual dress codes.
- **Cons:** It can be difficult to pin down what, exactly, is too casual.

4. Summer casual (or summer business casual)

Summer casual is a more relaxed version of the business casual and casual dress codes, and is most popular around the summer months.

Businesses that [hire seasonal workers](#) during the summer may opt for this type of dress code.

- **Pros:** It gives employees more flexibility at a time of year when people are spending more time outside and possibly participating in casual work outings (like BBQs or softball games).
- **Cons:** Because many “summer casual” clothes are designed for warm weather, including shorts and sleeveless tops, it could be perceived as a license to show off too much skin.

Legal considerations to keep in mind when setting up a dress code policy

Regardless of how formal (or not) your dress code is, there are some important things to keep in mind before setting up a policy.

Safety

Safety always trumps dress code flexibility. This may mean, for instance, a requirement that employees who work with a certain type of machinery wear close-fitting, non-flowing clothes, no jewelry, and keep their hair either short or pulled back.

The [Occupational Safety and Health Act](#) will often dictate required specifics for certain situations, such as head or eye protection.

Union insignia

Employees (even in non-union workplaces) generally have a right to wear pro-union insignia, so your dress code may not implicitly or explicitly prohibit it.

Safety, again, may create an exception—such as no buttons that could get snagged on a production line.

Political insignia

Private employers generally have the right to ban political insignia in the workplace, like buttons or shirts that promote a particular political candidate. (Public employees, on the other hand, often have broader free speech protections.)

Fragrance

An increasing number of businesses are banning perfume, cologne, and strongly scented toiletries in the office, due to allergies and sensitivity issues.

There are generally no legal prohibitions here as long as the policy is enforced consistently.

Piercings and tattoos

Employers generally have broad latitude to limit or prohibit visible tattoos and piercings, as long as they're not related to a religious belief or expression. (See more below.)

Gender specificity

Gender-specific dress codes, like skirt and pantyhose requirements for women, used to be the norm. Now, they're definitely not.

As more employees feel comfortable enough to openly identify as transgender or non-binary, sex-specific dress code provisions are becoming outdated and sometimes even legally problematic.

Think long and hard before imposing gender-specific requirements about, for example, hair length, piercings (number or placement), or skirts (either required or prohibited).

Religion

Employers can't discriminate against employees with a "sincerely held" religious belief, in terms of dress code or other workplace conditions.

This means you may need to make accommodations for dress, hair length or style, and other factors. These cases tend to be very fact-specific.

Back in 2005, for example, [Red Robin paid \\$150,000](#) to settle allegations of religion-based bias against a worker's tattoos. But then another court [ruled in favor of Costco on its piercing policy](#), concluding that a blanket exemption from the no-facial-jewelry policy would have imposed an undue burden upon Costco.

The [U.S. Equal Employment Opportunity Commission \(EEOC\)](#) offers a helpful publication on [Religious Garb and Grooming in the Workplace](#) if you're interested in getting more info.

Disabilities

Sometimes, an employee who fails to adhere to your dress or grooming practices may have a disability protected by the Americans with Disabilities Act (ADA) or a state-law counterpart.

A medical condition, for instance, can make it difficult for an employee to shower regularly, or a required uniform may be irritating a recent surgery site. Treat these situations with sensitivity, tact, and flexibility.

A special note on consistency

Perhaps the single most important concept related to dress code policies is *consistency*. Consistent enforcement across the board will help you avoid the vast majority of legal and morale problems that can accompany office dress codes.

You should never, in other words, overlook a clear violation of your dress code because Joanna or Manuel is a sales leader, a super-nice person, or just seems to be “pulling off” a particular look. Similarly, you can’t crack down harder on some employees over others.

An office dress code can’t (and should not attempt to) cover all possible scenarios of the items workers might wear, and similar infractions should be dealt with similarly.

It would not be appropriate, for example, to send one worker home to change for wearing a sleeveless top, but to let another worker with a sleeveless top stay.

How to communicate and enforce your dress code policy

Your dress code is a workplace policy that should be communicated and enforced like any other policy. If you have an [employee handbook](#), it should go right in there.

Violations, similarly, should be handled promptly and consistently. Depending on the nature of a dress code violation, an employee may either be given a warning or sent home to change.

(If you send your employee home, be sure to obey the relevant [wage and hour laws](#) in terms of compensation for this time.) Repeated infractions may mean that you have to discipline your employee.

You might want to keep a few extra sweatshirts on hand to give to employees who show too much skin or wear shirts with inappropriate or obscene slogans. This is a particularly good idea if sending someone home to change is not a viable option in your line of business, or if employees live too far away.

Sample business casual dress code policy

So what does a dress code policy actually look like? This template will help you get started with crafting your own.

The policy below is guided by reasonable business considerations (namely, an appropriate workplace setting for customers and employees), and it’s easy to understand.

It also provides examples that are specific enough to guide employees while broad enough to give employees some freedom. You never want a dress code to be so specific that an employee could reasonably believe that anything not listed as prohibited is automatically okay.

In order to maintain an appropriate professional environment for our colleagues and customers, [YOUR BUSINESS NAME] maintains a business casual dress code.

a way that violates the dress code may be sent home to change. Repeated violations of the dress code will be dealt with as disciplinary infractions.

Reasonable accommodations will be made, as required by law. Please direct any questions about the dress code to [PERSON'S NAME].

Appropriate work attire

- *Blouses and collared shirts, long or short sleeved*
- *Slacks or khakis*
- *Dresses or skirts (knee-length or longer)*
- *Sweaters*
- *Closed-toe footwear in good condition, including athletic shoes*

Inappropriate work attire

- *Jeans*
- *T-shirts*
- *Flip-flops, sandals, or open-toed shoes*
- *Construction or work boots*
- *Shorts*
- *Clothing that exposes the midsection, shoulders, or legs above the knee*
- *Clothing that is ripped, dirty, or overly tight or revealing*

[Employee signature and date]

I acknowledge that I have received and understand this dress code policy.

As you can see, dress codes are important, but they don't have to be ridiculously complex or legalistic. Figure out what makes sense for your particular business, get something drawn up and distributed, and go from there. Revisit the policy as needed.

Once again (and it bears repeating), consistency is absolutely the most important thing to keep in mind when it comes to enforcing your dress code policy.

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