

DRESSING FOR SUCCESS: ATTIRE, SOCIAL MEDIA AND THE LAW

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ABSTRACT

Dress codes have gone through several shifts over the last hundred years. Prior to the mid 1990's, the epitome of business attire was IBM's dark suit, white shirt, and red tie. During the 1990's Silicon Valley boom, informal work environments and casual dress spread throughout the country. More recently public attitudes have changed and dress codes are reverting away from the less casual. Unfortunately, many young workers do not know anything but casual work attire. This paper examines the role that attire, social media and the law play in the hiring, recruiting, retention and culture of the current workforce. A discussion and suggestions for dressing appropriately in the workplace, employer and job candidate use of social media are provided, along with an analysis of the law as it relates to appearance.

INTRODUCTION

Changes in societal values, the business environment, technology, and the law affect employers, employees and job candidates. Employers are concerned about the appearance of their employees and the effect on relationships with customers. What are customer perceptions when employees are not dressed as expected? What image do employees present to potential customers? What does all of this say about the company?

Employers are making decisions about how they want employees to appear or present themselves. Are these decisions valid? Employees have challenged some of the employers' decisions. What does the law say about appearance discrimination? What can employers demand or expect of employees?

The internet has provided job candidates a new method of searching and applying for a job. In turn, social media sites provide potential employers with an opportunity to learn about job candidates prior to or during the selection process. Is there potential for discrimination against job candidates? Do employers have a right to learn all they can about potential employees?

Finally, how can job candidates best present themselves during the interview process? What should interviewees wear to the job interview? What information should be on the applicant's social media site?

Due to these concerns, the authors examined business casual, business formal, the law and various uses of social media in the hiring and recruiting process. The intent was to uncover what is considered acceptable or unacceptable dress, how social media profiles are used today from business perspectives and what the law states in order to make recommendations to help the newly emerging workforce.

WHY APPEARANCE MATTERS IN LABOR MARKETS

Numerous scholars confirm that appearance does matter in the workplace. A survey of 1,125 Korean workers in Chungchoeng Province found that 78.8 percent admitted that they were treated differently in promotions and employment because of their appearance (Si-soo, 2008). Another study found that 85 percent of employers believed that body art would hinder a job candidate's success (Chai, 2008). One third of Australian respondents were worried that their employers would think that they look too old for their jobs (Pountney, 2008). Ninety-two percent of employers in a survey admitted that a candidate's appearance during the interview influenced their decisions and that the more attractive candidates got the jobs (Attractive candidates have an edge over their bosses, 2008).

THEORETICAL AND CONCEPTUAL BASIS FOR THIS RESEARCH

The theoretical and conceptual basis for this paper is that such beliefs about appearance occur quickly, efficiently, effectively, and affect all employment aspects from hiring to promotions. For example, appearance beliefs such as those towards the overweight flow from stigma and prejudices that are used to stereotype, label, and categorize them. This causes people to enact behaviors based on those preconceived belief sets. The concepts of stigmas, stigmatization, and prejudice were coined by Goffman (1963) in his book *Stigma: Notes on the management of spoiled identity*. Stigmas are beliefs that taint, label, and categorize other individuals into devalued categories (Goffman, 1963, Brochu et al 2011). Today's sociologists identify four categories of prejudices: old-fashioned, modern, Brochu's (2011) unnamed version, and aversive (Dovidio and Gaertner, 2000).

Application of these theories to Appearance Discrimination

Corrigan (2004) explains that stigmas and prejudices create stereotypes that are efficient processes that quickly collect information about others and effectively lead to overt or covert discrimination. The above theories including Corrigan's findings (2004) explain that first impressions occur quickly, effectively and efficiently (from that individual's perspective) and are used to sort, label, and categorize others. Employer based prejudices about individuals based on appearance impact the complete employment process from hiring to promotions and thus career, educational, and income potentials.

The Case for Individual Appearance Management

Because employers hold a myriad of beliefs and prejudices that they bring to the workplace, employees have to be concerned about their appearance. How an individual looks or dresses clearly affects whether or not they are hired. Since the current civil rights laws do not eliminate these more subtle forms of discrimination, appearance is extremely important to one's career. Just as corporations are now working to monitor, maintain, build corporate reputations (Cravens, Oliver, Ramamoorti, 2003) individuals should actively manage their appearance.

The authors suggest that individuals engage in what is termed Individual Appearance Management as part of their personal career planning.

APPEARANCE DISCRIMINATION AND THE CIVIL RIGHTS ACTS

Overview

Appearance discrimination is not covered in any of the Federal civil rights laws, thus leaving employers to act on their beliefs and forcing employees to manage their appearance. In most cases employers are allowed to discriminate on the basis of appearance unless they trigger one of the discriminator factors (race, sex, religion, age, disability, color, national origin and national ancestry. In general, appearance discrimination is not covered and is therefore generally legal. However, rising choruses of scholars are advocating amendments to these statutes to cover appearance.

The Future of the Civil Rights Laws

Numerous scholars criticize the current laws as contradictory, incomplete, and unable to attack the more subtle forms of discrimination including appearance (lookism in the legal literature) (Bandsuch, 2009a, 2009b, 2009c; Gonzalez, 2003; Rhode, 2009; Danaher, 2010; Ramachandran, 2006; Herald, 2007; Pizer, 2007; & Gross, 2008). Legal scholars particularly suggest that appearance be added to the statutes to eliminate appearance discrimination. However, it is doubtful that any such amendment would be made given the current legal environment. This lack of legal protection makes it more important for individuals to manage their appearance. However, a problem exists because employees lack clarity on their understanding of business casual attire.

DRESS CODES AND ATTIRE

In today's business world, many employers shifted towards business casual dress codes bringing with it mass confusion. Business casual might be interpreted to mean nice slacks, a dress, a blazer, nice pants, dark jean trousers, a sports jacket, coordinated separate pieces, at-the-knee skirts and boots, a fitted skirt, a short-sleeve polo shirt, etc. There are so many varieties, interpretations and possibilities as far as casual dress is concerned with very little guidance provided to employees. In fact, if an employee looks for guidance or for a definition of business casual in their employee handbook it is often not found (Cullen, 2008; Entzminger, 2005). However more recently, businesses are starting to include long, detailed lists (Gragg, 2004) of what is considered appropriate to wear to work because employees are abusing (Munoz, 2001) or misinterpreting the definition of business casual. Clarifications are being provided in the hope of alleviating employee confusion of what to wear while on the job. Companies have started to limit the number of days during the week that business casual attire is permitted. A recent 2010 study found that one third of employers allowed business casual daily, compared to more than fifty percent in 2002 (Cullen, 2008; Spitznagel, 2010). Another study found that the number of businesses allowing employees to dress casually on a daily basis dropped from 50% in 2004, to nearly forty percent in 2007. Many businesses are turning to image consultants or professional dress consultants to help them with their image and branding, including employee appearance (Entzminger, 2005; Spitznagel, 2010).

Why are First Impressions Important?

First impressions are tied to a multitude of factors, including social media profiles, how an individual dresses or talks, how individuals present themselves and their personal work experience and education. First impressions are critical because once they are formed they are extremely difficult to change (Gragg, 2004). An individual may get hired or not hired because of how they look and appear. How an individual dresses projects their self image, how they behave, how respectful they are (Compton, 2007) which either enhances or detracts from what they are saying. When an interviewee dresses for an interview they signify what they value, who they are, what they believe in, what is important or not important and will either reinforce a positive self image or not (Compton, 2007). It is imperative to

remember that professionalism begins during the interview stage. Once an interview is over, a candidate rarely gets a second chance to make a positive impression

WHAT IS SOCIAL MEDIA?

As if deciding how to dress is not enough, there is always the question of social media usage and what is appropriate for the workplace. Social media is defined as interactive media that includes social networks such as Facebook, Twitter, LinkedIn, and Yahoo! Groups; blogs; and video websites such as YouTube, online forums and discussion boards such as Google Groups; and online publications (Hunt 2010; Segal, 2011). Social media has become a popular venue for companies to search for applicants, search for information about job candidates, post job openings, share information about the company, or use as part of their background searches. In fact, companies are beginning to hire full timer recruiters that are dedicated to working on social media websites (Light 2011). There is a high probability that job applicants that find a job posting on Face book will fill out an application and move into the interview process (Hunt, 2010). Today, future employees looking for employment use social media websites to find job vacancies, to obtain information about a company, and to gather information about hiring managers and interviewers.

How has social media helped/hindered the hiring process/recruiting process?

Often hiring managers visit social media websites to learn about job candidates. In fact, either job candidates invite hiring managers to view their social profiles or hiring managers purposely seek out social media profiles to verify information contained in a job applicant's resume or application. Some companies are attempting to replace traditional hiring practices by using social media websites (Hunt, 2010; Stamper, 2010) because they are perceived as easier, cheaper and efficient. It is suggested that social media augment traditional hiring processes, but not replace them.

Information that individuals post on their social media profiles provide potential employers insight into their personality that may indicate a good fit with the company, collaboration of professional qualifications, examples of creativity, good communication skills, awards received, and indications that the candidate is a well-rounded individual (Adenle, 2010).

CONCLUSION

After thoroughly examining various researches, it is evident that what is considered appropriate to wear to work is complex, confusing and ever changing. Not to mention the fact that social media is prevalent and utilized in a multitude of ways that can help or hinder an individual's potential for employment. Younger generations may have trouble understanding what appropriate dress is or how to properly utilize social media and/or what the law allows from an appearance perspective.

REFERENCES AVAILABLE UPON REQUEST