



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

August 26, 2014

In reply refer to: FOIA #BPA-2014-01715-F

NBC 4

Attn: Scott MacFarlane  
4001 Nebraska Ave, NW  
Washington, DC 20016

Dear Mr. MacFarlane:

We have received your request for records under the Freedom of Information Act, 5 U.S.C. § 552, from the Department of Energy, August 15, 2014. Your request has been assigned control number BPA-2014-01715-F. Please use this number in any correspondence with the agency about your request.

**You requested:**

“Copies of all employee handbook references to dress codes or proper dress at agency offices in the United States at the agency or any of its subagencies.”

**Response:**

BPA does not address a “dress code” in the BPA employee handbook. We did locate a “Policy Advisory” issue with the topic of dress code that offers guidance on situational issues dealing with employee appearance.

Your request for a waiver of fees is granted. There are no fees associated with this request.

**Appeal:**

You may seek administrative appeal pursuant to Department of Energy FOIA regulations at 10 C.F.R. § 1004.8. If you choose to appeal, you must do so in writing within 30 days, and include the following information:

- (1) The nature of your appeal - denial of records, partial denial of records, lack of responsive records, or denial of fee waiver;
- (2) Any legal authorities relied upon to support the appeal; and
- (3) A copy of this determination letter.

Clearly mark both your letter and envelope with the words “FOIA Appeal,” and direct it to the following address:

Director, Office of Hearings and Appeals  
Department of Energy  
1000 Independence Avenue SW  
Washington DC 20585-1615

I appreciate the opportunity to assist you. If you have any questions, please contact Kim Winn, FOIA Public Liaison, at 503-230-5273.

Sincerely,



Christy Munro  
Freedom of Information/Privacy Act Officer

Enclosure:  
NHI Policy Advisory, Issue FY13-44

HUMAN CAPITAL MANAGEMENT (HCM) | Integrated Strategy & Policy (NHI)  
Portland, Oregon

## NHI POLICY ADVISORY LIBRARY

Issue No.: FY13-44 Issue Date: March 22, 2013

**TOPIC:** Dress Code

**Disclaimer:** The regulatory or policy interpretations provided may be useful in applying to a variety of facts and circumstances; however, this advisory applies only to the facts specified.

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*Background:* We had an interesting conversation yesterday in our Leadership Essentials class about a manager's right to set standards of dress in creating a professional work environment. Where would I send them guidance about this issue?

**Question 1: Does BPA have a dress code?**

**Answer:** No. BPA does have rules about personal protective equipment for some positions (e.g., hard hats). BPA also states on its recruitment web page that dress at BPA is "business casual."

**Question 2: Can managers address clothing or grooming issues in the absence of a dress code?**

**Answer:** There is nothing in the regulations preventing managers from addressing clothing or grooming issues in the workplace. However, managers must work with NHE before doing so.

Managers should consult with NHE when an employee's clothing or grooming is impacting the employee's work or the work of others. For example, an employee assigned to present at a conference may need to follow the conference's dress code to present. An employee assigned to a safety-sensitive task may need to wear personal protective equipment. An employee with poor hygiene may have difficulty engaging collaboratively with others.

NHE can advise managers on the legality of their proposed clothing or grooming requirements with respect to equal employment opportunity laws and NHE/NHL can advise managers on any collective bargaining requirements.

**Question 3: Where can managers get more information?**

**Answer:** Managers must contact NHE before addressing clothing or grooming issues. In addition, managers may find the following resources useful:

- <http://www.fedsmith.com/2007/06/14/dress-codes-tattoos-federal-employees-brave/>
- <http://www.fedsmith.com/2007/06/14/dress-codes-tattoos-federal-employees-brave/>
- <http://www.federalnewsradio.com/20/2509315/Federal-Dress-Code-Do-Speedos-Count>
- <http://www.eeoc.gov/laws/practices/index.cfm> (look for **dress code**)
- <http://www.eeoc.gov/eeoc/newsroom/release/9-16-05.cfm>



**Discussion:** Some requirements may violate equal employment opportunity laws.

For example:

- Requiring gender-specific clothing;
- Prohibiting religious attire;
- Prohibiting medically necessary attire (e.g., athletic shoes for an individual with a qualified foot disability).

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**References:** EEOC Practices

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**Key Words:** dress code, attire, grooming, hygiene

<b>NHI Policy Advisories – Sub-folder Location(s) <input checked="" type="checkbox"/></b>	
Employee Benefits & Work-Life Support Services	Employee Compensation
Employee Records	Employee Rights & Responsibilities
Employee Safety, Health & Wellbeing	Employee Separation
Labor Relations	Leave, Absence & Hours of Work
✓ <b>Managing Employee Performance &amp; Conduct</b>	Managing Organizational Structure & Positions
Promotion & Reassignment	Recruiting, Hiring & Retaining Talent
Rewarding & Recognizing Employees	Supplemental Labor
Training & Development	---