

High Heels and Workplace Dress Codes

In the know

The Women and Equalities Committee has urged the Government to enforce the Equality Act 2010 properly and fine employers for implementing discriminatory dress codes in the workplace. Here, we have a look at the current position.

Discrimination at Work

The Equality Act 2010 prohibits employees, workers, job applicants etc from being treated less favourably by their employer because of a protected characteristic.

One of the protected characteristics is 'sex', meaning that men and women should not be treated less favourably than the other because of their gender.

The High Heels Issue

In December 2015, agency worker Nicola Thorp, was sent home from accountancy firm PWC where she was currently assigned, because she was not wearing high heeled shoes. The agency had a rule that female workers must wear high heels of between 2 and 4 inches. Ms Thorp argued that wearing heeled shoes all day would cause her pain and that her male colleagues were not subjected to the same rules.

Ms Thorp began a petition which gained 150,000 signatures, to make it to illegal for an employer to require its female staff to wear high heels at work.

Inquiry

Because of the petition, the Women and Equalities Committee began an inquiry and discovered that Thorp's experience was not isolated. The inquiry heard that women had been required by employers to dye their hair blonde;

wear revealing outfits and constantly reapply make up. The Committee points out that the Government says existing law is clear and that a requirement to wear high heels is already unlawful. But it is clear that the existing law is not fully effective in protecting employees from discrimination at work. It recommends that the Government does more to promote understanding of the law on gender discrimination in the workplace. It also calls for the Government to substantially increase penalties, including financial penalties, against employers who break the law.

Croner Tips

- **Generally, rules within dress codes can be different for male and female employees provided that they fit with the conventions of society.**
- **Employers should also consider dress codes from other angles too, e.g. religious and disability discrimination. Certain religions require females to cover parts of their body such as their legs, so wearing skirts is problematic for them.**
- **Particular jobs may require certain dress requirements, e.g. from a health and safety perspective.**

Please contact the Business Support Helpline for advice on your specific situation before acting on the information in this article.