

Casual Friday: Make Sure Your Employees Keep It Classy

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Casual Friday. It's a day of the week many employees are allowed to "dress down" a bit in anticipation for the weekend. And many employees like to get a bit "festive" during the holiday season. Well, the Internet is slightly annoyed right now. A large national retailer has decided to start selling a sweater bearing the slogan: "OCD: Obsessive Christmas Disorder." While probably well intentioned, some people don't think it's funny to make light of obsessive compulsive disorder. And if people are taking to social media to complain, you better believe a segment of your workforce will probably be offended if one of your employees strolls in wearing the garment. It doesn't stop there, though. There are literally hundreds of festive garments floating around the Internet with questionable slogans. Let's talk about Thanksgiving. You can buy shirts with slogans ranging from: "I'm a thigh man" and "I'm a breast man," to the more questionable "Turkey Slut." There's also the very fashionable "holy trinity" shirt featuring a plate of turkey, a plate of pumpkin pie and a plate of potatoes and gravy. It's all out there ready to buy with just a couple clicks. Should you be overly worried about this? Probably not. A majority of employees have pretty good filters when it comes to deciding what is – or is not – appropriate. As defense lawyers, however, the last thing we want to see is evidence that supports a theory of liability. That means we don't want our alleged sexual harasser to admit during a deposition that he showed up to work wearing a shirt that says: "I'm a breast man." And we certainly don't want to see evidence of a discriminator wearing the "OCD" sweater in a disability discrimination lawsuit involving a mental disorder. Your best bet is to simply keep a watchful eye in order to make sure your employees' behavior is consistent with the company's EEO policy.

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