

The Federal Page

A Published Dress Code Is Dressed Down in Furor

Office of Special Counsel Retreats From Sartorial Rules

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For the U.S. Office of Special Counsel — charged with protecting federal workers and whistle-blowers from illegal treatment — it seemed an effort to protect its own employees from crimes of fashion.

Last month, the agency devoted part of its employee newsletter to "Business Casual" do's and don'ts. Tight pants, short skirts and long fingernails are out; khaki trousers — for everyone! — are in. Any among the 100-plus staff of lawyers and investigators who have spent their careers blind to the sartorial signals of official Washington were told: "You are not trying to stand out for the cutting edge look, but for your good judgment."

Next came two pages of tips for achieving the good-judgment, non-cutting-edge look.

Men: Avoid sneakers for receptions, leave earrings at home and strap on a "conservative watch."

Women: Wear the conservative watch, plus tailored pants, tailored shirts, tailored sweaters, and "a tailored purse . . . that hangs on your shoulder is often advantageous as it frees your hands for greetings (hand shakes) or holding a beverage." For those who cannot master this, "leaving your purse locked in the trunk is preferable." Also "make certain you can walk comfortably in your shoes."

But what some employees found ironic, coming from an agency whose job includes fighting workplace sex discrimination, was the advice that women avoid tight pants and, "before choosing a skirt to wear, sit down in it facing a mirror."

"You couldn't help but laugh when you saw it. But then people took it more seriously and be-



Special Counsel Scott J. Bloch expressed surprise that "food for thought" was found unpalatable.

came offended and insulted," said an office investigator who spoke on the condition of anonymity for fear of reprisal. "This came through our boss. How is that going to make us feel?"

Office spokesman Loren Smith said his boss, Special Counsel Scott J. Bloch, had "skimmed" the newsletter and "was under the impression it was for a discussion of what the guidelines might be."

Bloch, a Kansas lawyer who was deputy director and counsel at the Justice Department's Task Force for Faith-based and Community Initiatives, was appointed by President Bush to be Special Counsel.

The clothing flap is the silliest in a string of controversies beginning with the start of Bloch's five-year term, in January 2004. Early on, he was accused of failing to enforce a long-standing policy against bias in the federal workplace based on sexual orientation. Since then, Bloch has also been accused of retaliating against employees who disagreed with his policies, and of tossing out legitimate complaints and whistle-blower cases to claim progress in reducing the office backlog. The Office of Personnel Management inspector general is investigating the allegations.

Bloch has denied the accusations, saying that, under his leadership, the agency has grown more efficient and receptive to whistle-blowers and employees alleging unfair treatment.

Smith said the newsletter tips do not replace the office dress code: basically, suits, pants or skirts that "communicate professionalism." He said the official code, and last month's advice, for that matter, came after Bloch objected to employee interpretations of business casual, which Smith said included "jeans with holes, flip flops and the like."

Could all this ado about clothing hint at a new concern for federal personnel packaging?

The Office of Special Counsel advice comes on the heels of a July Treasury Department newsletter that attempted to inspire staffers toward more daring, edgy new looks.

Women, the July 21 issue of Treasury Notes advised, should take "your every day suit, find a fabulous and outlandish oxford, and pair it with glamorous sunglasses and colorful bag and shoes to match." Men were encouraged to "indulge in the beauty and love of a suit, by buying yourself a custom-made suit. . . . Outfit it with quality oxfords and eye-catching cuff links."

Last week, Debra Katz, an attorney representing a group of employees in an unrelated case against Bloch, wrote to the co-chairmen of the Congressional Caucus for Women's Issues, Reps. Ginny Brown-Waite (R-Fla.) and Hilda L. Solis (D-Calif.), asking that the caucus direct Bloch to "rescind the highly sexist and patronizing advice he provided to OSC's female workforce."

Katz believes that the dress code violates Title VII of the 1964 Civil Rights Act, which, she



BY PATTERSON CLARK — THE WASHINGTON POST

Style Counsel

Some of the business casual dress code suggestions in last month's newsletter from the Office of Special Counsel:

For Both Sexes

■ "You are not expected to be able to afford the same clothing as a CEO. However, do invest in quality that will look appropriate."

■ "Even the nicest khakis after 100 washings may not be your best choice for a reception."

■ "Carefully inspect new clothes for tags, and all clothes for loose threads."

For Men

■ "Discreetly walk by the room where the function is held; if no one else is wearing a tie, you can discreetly remove yours if you have a place for it such as a jacket pocket."

■ "Polo shirts (tucked in, of course), are acceptable in more casual situations."

■ "Removing earrings is always a safe bet."

For Women

■ "Women can wear casual pants or skirts. Neither should be tight."

■ "Jewelry and scarf styles come and go. Keep your choices simple and conservative. Avoid extremes of style and color."

said in the letter, "holds employers legally accountable for permitting rigid gender-based stereotypes to operate to the detriment of their female employees."

Then, there is the insult to their common sense. "These people work at 17th and M," she said. "It's not like they haven't seen business attire."

Smith said the office understands that Title VII allows employer dress-code distinctions based on sex.

After The Washington Post contacted his office about the dress-code flap this week, Bloch issued a memo to "Everybody": "I would like to clear up some apparent confusion regarding OSC's dress policy. Attached is my 2004 policy directive, which

remains in effect today."

Bloch went on to explain that — oops — the business casual advice was copied (without attribution) from student Web sites at the University of Missouri and Virginia Tech.

The plagiarized dress code "was placed in the newsletter by employees," Bloch emphasized. "I understood it was offered as food for thought from the business and professional world, and not as anything required."

It was a note that would have made the true writers of the newsletter dress code proud. When caught (figuratively) with one's khakis down, the code advises: Make "a quick, pleasant apology, then make a good impression with your interpersonal skills."