

Grad to Grad Spring 2004

Go Ask Rog—Sexual Harassment Advice for Graduate Students

(The following situation is fictitious and utilized solely for educational purposes. Any similarity to actual persons or circumstances is coincidental and unintentional.)

Dear Rog:

I have several body piercings and visible tattoos. Sometimes people comment or ask me personal questions about them. My faculty advisor has suggested that I remove the piercings and cover up the tattoos for my job search. My advisor insists that I will never find a teaching position at any university because of my personal appearance. Is my advisor right? And if I am denied work solely because of this, would that be discrimination?

Dear Grad:

You have raised an issue that has become increasingly relevant among graduate students who are entering the job market. A 2001 Mayo Clinic Proceedings study reported a 51 percent incidence of body piercing and 23 percent incidence of tattooing among university students. Another study published by Rutgers University found that 69 percent of students surveyed obtained their tattoo and/or body piercing during college when they were age 18 to 22.

Employer dress codes are legal so long as they are enforced consistently, based on legitimate business reasons, relate to essential job functions, and do not have a disparate impact on a protected class of employees. For example, some “no beard or mustache” codes unfairly discriminate against certain ethnic groups and members of certain religions. Policies related to hair length or covering of the head may also single out some employees who abide by certain religious customs. Employers may be required to make reasonable accommodations for religious practices.

Policies restricting tattoos and/or piercings usually address a legitimate public interest such as health and safety. For example, most pools and recreation facilities require that lifeguards have no new tattoos and few piercings due to health and safety standards. Hospitals also have policies limiting body jewelry for similar safety and hygiene reasons.

Tattoos that are obscene, incite violence or advocate sexual, racial, ethnic or religious discrimination should be covered while at work.

However, whether your tattoo or piercing is “legal” may not be the most relevant question. The reality is that this form of body self-expression might have a negative effect on your job search. A 2001 online survey conducted by Vault.com, a career information website, reported that 58 percent of the

managers who responded said that they would be less likely to hire someone with visible tattoos or body piercings.

So Grad, let's talk about practicalities. Most universities do not have dress codes but appropriate appearance is expected. How your personal appearance impacts your career advancement may depend on your chosen field and the culture within that department. Some academic disciplines might have a higher tolerance for body art than others. Also consider that acceptance of tattoos and piercings might depend on the geographic region of the college or university. Educational institutions near major metropolitan areas might be more flexible about body art than those institutions in rural or more conservative regions.

In addition, others' reactions to your appearance may be based on the size, subject matter, and placement of the tattoos and the quantity and location of piercings.

You need to ask yourself whether your body art detracts from your teaching, research, and overall qualifications as a member of the academy or chosen profession. You also need to consider whether you will feel at home in a place that frowns upon tattoos and piercings. Only you can answer these questions.

If you believe that you are being discriminated against based on sex, sexual orientation, or gender identity, contact the Office of Sexual Harassment Prevention & Policy (OSHPP) at (858) 534-8298 or email oshpp@ucsd.edu.