

# Oak Ridge Schools

## Office of the Superintendent



### **Administrative Procedure 3.300 Equipment and Supplies Management – Uniform Wear and Distribution**

April 23, 2019

## **Policy on Uniforms**

Uniforms are furnished to many Oak Ridge Schools (ORS) employees for reasons such as departmental identification and security. This policy establishes ORS Uniform Wear and Distribution guidelines. New employees will sign a statement indicating understanding and willingness to conform to this policy; current employees subject to wearing uniforms will be provided a copy.

Management retains the right to make changes to any portion of this policy in the future recognizing any obligations it may have under the provisions of any applicable code or law.

### **I. Who May Be Issued Uniforms**

At this time, all uniformed ORS employees in the following operating areas as described below shall receive uniform items no later than the point when the employee has passed probation:

- Fleet Services
- Custodial Services
- Buildings and Grounds Services (including Maintenance Generalist, Painters, Carpenters)
- Maintenance Technicians (Including HVAC, Plumbing, Electrical, Low-Voltage)
- IT Network Technicians
- IT (Low-Voltage Wiring Technicians)
- Foremen, Supervisors, and Directors
- Extended Child Care Employees

The uniform items to be issued are described in Section III below. ORS Administration will at all times remain the sole determiner which, if any, positions are required to wear uniform clothing items, whether additional job classifications (including in other work units) will be required to wear uniforms in the future or whether the requirement will be discontinued for any or all positions. ORS Administration will at all times remain the sole determiner as to which items of clothing constitute “the uniform” and the specifications of the pieces of the uniform. (Outerwear described in Section III.C. below.)

Management may exempt any employee from wearing “the uniform.” However, exemptions are intended to deal only with specific situations (such as the need for the accommodation of religious tenets or where an appropriate size/fit uniform cannot be obtained). In such cases, the employee will be specifically advised that s/he is exempted from the requirement but will be required to wear appropriate identification at all times as described in Section IIA below. Where an exemption may be required or otherwise appropriate, supervisors are to obtain approval pursuant to Section IIB below; supervisors are not to grant exemptions without such concurrence.

### **II. Wearing the Uniform**

All employees issued uniforms are required to wear them when performing their school duties. Unless specifically authorized as described in Section II.B. below, no substitute items are permitted once an employee has been issued uniform items. The uniform logo, and a valid school identification badge displayed to identify

April 23, 2019

the employee, must be clearly visible at all times, regardless of whether duties are performed inside or outside of school buildings. Identification badges are to be worn "face out", attached to a breast pocket, collar, or around the employee's neck so that his/her face (and name) can be viewed simultaneously with the identification badge.

A. Any deviations from this policy, including ordering additional uniforms (excluding replacements for damage - see Section V), must be approved by the Assistant Supervisor of Operations and Department Supervisor. If a request is made on the basis of a medical issue, it shall be the employee's responsibility to request a medical waiver through the supervisor if unable to comply with this policy because of medical reasons and supply supporting medical documentation. Requests because of religious issues should be discussed with ORS Human Resources to determine what, if any, documentation is appropriate.

B. Employees issued uniforms are expected to wear them in a presentable and professional manner on the job. Employees are expected to clean and maintain their uniforms at their own expense. No alterations or additions to this attire (such as patches or insignias) may be made without prior management approval.

C. The uniform shall not be worn off the job except while commuting to or from the workplace. It is a violation of this policy to wear the uniform while in private employ elsewhere, or when self-employed doing "side jobs."

D. Management may specify occasions when certain items must or may not be worn. For example, T-shirts (if selected) are not to be worn on special event days without the prior approval of management. Conversely, in certain instances, event-related staff may be provided with ORS-issued event attire. In such cases, employees may be required to substitute the event-related item for a uniform item by Management. However, requiring event-related attire by individuals not normally designated for uniforms will not obligate Management to provide uniforms for basic duties. An employee who transfers from IT, ECC, or M & O, or who separates from the School district, will be required to turn in all uniform items. All uniform items remain the property of the School District at all times.

E. Failure to properly wear issued uniform item(s) (unless a specific exemption has been approved as described in Section II.B. above) or to wear the uniform contrary to the provisions of this policy (including while working "side jobs") is considered a disciplinary offense and may subject the employee to administrative and/or disciplinary action up to and including discharge.

### **III. General Guidelines**

A. Eligible employees are issued five long or short-sleeved uniform shirts and five pairs of pants upon the completion of probation. Employees may be issued a portion of their uniform allotment prior to the completion of probation, at management's option. Uniform items are not to be modified by appliqués, insignias or otherwise modified, except to tailor for fit (such as hemming pants which extend on to the ground).

B. At the request of the employee, the district shall normally replace up to a maximum of three replacement items (shirts, pants or a combination thereof) annually provided replacement is not necessitated by gross negligence or malicious intent. In individual cases, an employee's duties have resulted in significant wear that might necessitate the replacement of more than three items in a year so the employee may maintain his/her

five basic sets, the employee shall present those items to management for replacement consideration. In the event that management agrees to replace the items presented, management shall then follow the provisions of Section V.B. below regarding the "Procedure for Ordering Replacement Uniforms."

C. In addition, all Buildings and Grounds and Maintenance Technician employees will also receive *either* insulated coveralls or an outerwear jacket once every two years, if the employee so elects

D. Some employees are required by the District Electrical Safety Policy and/or OSHA regulations (see Appendix A) to wear clothing that contains no synthetic fibers. The uniform shirt/t-shirt are acceptable. Additional items, such as pants, coveralls, etc., are considered personal protective equipment, not uniforms. This equipment is issued according to the District Policy on Personal Protective Equipment.

E. Employee footwear must be appropriate for safe performance of the employee's duties, e.g., no open-toed footwear, non-skid soles. These items are not provided by the district and are at employee expense.

F. For those employees whose duties require the wearing of safety shoes, as determined by the District and pursuant to applicable safety code, the District shall reimburse up to \$100.00 per year for appropriate safety shoes as needed.

#### **IV. Procedure for Ordering Replacement Uniforms during the Routine Cycle**

The following constitutes the current procedure for the ordering and replacement of uniforms during the "routine cycle." These procedures may be changed at any time in the sole discretion of management:

A. Each year, the Assistant Supervisor of Operations will notify appropriate staff of the upcoming replacement uniform order. The Assistant Supervisor of Operations will review the order information with each employee and place the order with the vendor. Employees may request a measuring session or a sample to try on for fit.

B. Uniforms will be issued using the M & O work order system and signed for by the employee upon receipt of the uniform.

C. Once uniforms have been issued, employees have five working days to try them on and, if unsatisfactory, must notify their supervisor so items may be returned to for exchange. Once they have been washed or worn, uniforms may not be exchanged.

#### **V. Procedure for Ordering Replacement Uniforms**

The following constitutes the current procedure for the ordering and replacement of uniforms during the other than the "routine cycle." These procedures may be changed at any time in the sole discretion of management:

A. All requests for replacement uniforms must be approved by the Department Supervisor.

B. Damaged articles may be replaced at the discretion of the Assistant Supervisor of Operations. Appeals should be directed to the Supervisor of Maintenance and Operations. Replacements will be issued through the M & O work order system to allow tracking and verification of replacement.

C. In cases where an employee has altered (other than for tailoring for fit) or damaged an article or has been careless or negligent in the loss or destruction of his/her uniforms, the cost of replacement uniforms may be charged to the employee, at the discretion of the Assistant Supervisor of Operations (as approved by the Supervisor of Maintenance and Operations and the Executive Director of School Leadership). As with all school property, cases of gross negligence or deliberate destruction of departmental property may result in additional administrative and/or disciplinary action.

## **VI. IMPORTANT TAX AND FRINGE BENEFIT INFORMATION RELATED TO APPAREL**

For any clothing or uniforms provided to employees **not** to be a taxable event, the clothing must meet **both** of the following conditions:

- 1) The clothing provided must be a condition of employment (the employer **mandates the employee's wear the provided clothing to work**), i.e., if the employee reports to work without the "uniform" they would not be allowed to work without the "uniform"

and

- 2) The clothing is not "of a type adaptable to general or continued usage to the extent that [the clothing] takes the place of regular clothing", e.g. blue jeans or polo shirts. In other words, the clothing **cannot be worn or adaptable** to street wear.

Ordinary clothing does not cease to be adaptable to street wear and, thus, will not be considered excludable from the employee's gross income. Simply because clothing bears the company logo, or the school's logo/mascot, does not make the clothing unacceptable to wear at times while not representing the school or employer. Even if an employee does not wear the clothing away from work or even if the employer has a policy in place that does not allow the clothing to be worn away from work does not mean that the clothing is not taxable. If the clothing is ***adaptable*** to general usage, the clothing is considered a taxable fringe benefit.

Internal Revenue Code (IRC) §61(a)(1) requires employees to include the value of fringe benefits received from their employers in gross income. The value of the fringe benefit to be included is the fair market value of the benefit less any amount paid by the employee for the benefit.

**ANNUAL Requirement for Department Reporting of Taxable Benefits:** It is the responsibility of each Department Director or Supervisor listed above to provide a complete list of clothing items they have provided to any employees that do not meet both the above requirements for uniforms. Details including name, date of purchase and amount paid for each item will be needed prior to December 31<sup>st</sup> each calendar year. This fringe benefit amount will be included in the employee's annual W2 Statement as a taxable fringe benefit.

## **VII. Ordering Uniforms at the Employee's Expense**

A. Employees who are not issued uniforms, and those who wish to order additional uniforms, may purchase them through the uniform vendor at their own expense. However, they cannot be purchased using the District's name or tax-exempt status. The above rules for wearing uniforms will apply.

April 23, 2019