

Law professor studies 'sexing up and dumbing down' of work force

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(PhysOrg.com) -- Pick a decade, any decade. From secretaries in miniskirts in the "Mad Men"-style '60s and Southwest Airlines' "hostesses" in hot pants in the "liberated" '70s, to the present-day surge of provocatively dressed young female service workers -- the ubiquitous "Hooter Girl," for example -- University at Buffalo Law Professor Dianne Avery has a name for it all.

"The Great American Makeover: "The Sexing Up and Dumbing Down of Women's Work," is the subject of her ongoing research on the sexualization and commodification of female service workers.

According to Avery, employers for decades have cashed in on service workers' sexuality by dictating what they wear on the job.

The only difference between what happened decades ago and now, she says, is the scale and sophistication of the industry of image consultants, uniform designers and manufacturers that deliver the corporate brand through dress codes and mass-produced uniforms.

Not only is the influence of image consultants and uniform designers stronger and more comprehensive than one boss' questionable taste, but workers also have had little success in resisting sex-based dress codes through antidiscrimination [law](#) or union grievances, Avery says.

And another difference: The frontline service workers who are pressured to wear clothes that send strong sexual messages to their customers are

younger and younger, often not yet out of their teens.

"It's everywhere," says Avery, who will undertake a new study this spring on the role of professional image consultants and uniform designers in creating "sexy and glamorous" uniforms and appearance rules for large corporations in the airline, hotel, restaurant and entertainment industries.

"The issue of workplace appearance, dress, grooming and dress codes has never been more important or significant," Avery says. "What I have seen in the last decade is a return to the attempts to sexualize certain kinds of front-line service jobs and to 'gender' them.

"By that, I mean making certain kinds of women's jobs or shunting women into certain kinds of work, to sex them up, to doll them up, and that's why I call it the 'sexing up and dumbing down' of women's work because that's what it is. It's about how beautiful you are, how thin, how attractive, how sexy. How alluring. How you sell the corporate brand. Not how competent, how smart or how capable you are of doing the job."

That these revealing uniforms are reaching teenagers is especially troubling to Avery, who notes the recent rise in sexual harassment complaints brought by young workers in the fast food industry.

"The harm is in the lack of understanding of the relationship between work and gender," she says. "It keeps these workers continually categorized in a kind of subordinate status. And I understand that it appears that the law is crashing up against the culture. But when you are dealing with an individual's desire to choose how to appear or what kind of job she wants, it's very complicated.

"The reality is that in these front-line service jobs where workers are dressed in uniforms or clothing that is very provocative, the employees

don't have a lot of other choices. They're often poorly paid, contingent, part-time workers, with no health benefits and no internal career ladder.

"There is no question many teenagers think it's great to get these retail and service jobs, which might be their first job. But the clear message is their worth as workers is sexual. There is a lack of awareness of how these retail, food-service and other front-line service jobs are really very exploitative -- how the employees look sends a poor message about work and human dignity."

For Avery, much of the imperative of her present work is an echo of common chords that have driven her scholarly agenda throughout her more than 25 years teaching labor and employment law courses in the UB Law School. She has co-authored three editions of a popular casebook, "Employment Discrimination Law: Cases and Materials on Equality in the Workplace." The latest edition -- the eighth -- was published this past spring by the Labor Law Group, a select group of national and international labor and employment scholars. Avery used this book in her "Employment Discrimination Law" class at UB last fall. With Catherine Fisk, Chancellor's Professor of Law at the University of California-Irvine, she wrote the introductory chapter to the book "Litigating the Workplace Harassment Case," which was just published by the American Bar Association.

"I am suggesting we seriously rethink our discrimination law on workplace appearance and grooming codes before another generation of women gets sexed up and dumbed down on the job," she writes in the conclusion of one of her published lectures.

This spring, Avery's new study will draw on a previous article, "Branded: Corporate Image, Sexual Stereotyping and the New Face of Capitalism," which she co-authored with Marion Crain, Wiley B. Rutledge Professor of Law at Washington University in St. Louis.

"The designers of clothing fashions and makeup...place their stamp and their look on the faces and bodies of millions of workers in the United States who are required to wear uniforms to work," she says.

Avery is particularly interested in how low-wage, frontline service workers can resist the phenomenon of "sexing up" -- not only through antidiscrimination law, which so far has proved to be of limited use, but also through collective bargaining and grievances in unionized workplaces.

"The law's promise of equal opportunity in the workplace -- regardless of 'sex' -- should embrace all workers," Avery says, "including those who can't be or don't want to be 'sexed up' on the job."

Provided by University at Buffalo

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