

Sample Office Memorandum

To: Professor P. Camille Lamar

From: [Insert name or anonymous exam number]

Re: [Client name and file number]

Date: [Insert Date]

QUESTION PRESENTED

Will Sheila's outfit, which consists of a multi-colored sweater, jeans, and purple tennis shoes, violate The Niche Boutique's dress code when her sales associate job will require frequent interaction with and unlimited exposure to customers?

BRIEF ANSWER

Probably so. The Niche Boutique's dress code requires its employees to dress professionally and equates professionalism with clothing that exemplifies the store's reputation for chic, sophisticated, and understated clothing. Given this standard, Sheila's casual, brightly-colored attire will most likely conflict with The Niche Boutique's corporate image. Furthermore, senior store management will probably not excuse the non-compliance because Sheila's job as a sales associate requires a high level of customer contact and requires that she work in areas of the store that are accessible to customers.

STATEMENT OF FACTS

This firm represents Sheila, a seventeen-year-old foreign exchange student. Sheila recently obtained a job as a salesperson at The Niche Boutique, an upscale retail clothing store in downtown Fort Lauderdale that caters to chic, urban professionals in their late twenties to middle forties. This is her first job in the United States, and Sheila is particularly concerned about the appropriate workplace attire because she wants to make a favorable first impression.

As a salesperson, Sheila will be primarily responsible for assisting customers with purchases and exchanges and facilitating a pleasant and memorable shopping experience. In discharging these duties, Sheila will be required to work in high-traffic areas of the store that are frequented by and highly accessible to customers.

Sheila has asked this firm to determine if the outfit she plans to wear on her first day of work, which consists of a multi-colored sweater, jeans, and purple tennis shoes, will comply with the store's dress code policy.

DISCUSSION¹

Conclusion Heading

The outfit Sheila plans to wear on her first day of work, which consists of a multi-colored sweater, jeans, and purple tennis shoes, will most likely violate The Niche Boutique's dress code because her job as a sales associate will require frequent interaction with and unlimited exposure to customers.

The Rule

The Niche Boutique's dress code requires employees to dress professionally and explicitly links professionalism to clothing that exemplifies the store's reputation as a retailer of chic, sophisticated, and understated clothing. In interpreting the standard of professionalism, senior store management typically discipline employees for wearing casual attire. However, store managers will excuse casual attire if the employee's primary job responsibilities do not require interaction with store patrons or if the employee's work station is in an area of the store completely inaccessible to customers.

Rule Explanation

Casual clothing is unprofessional and will violate the dress code. Casual attire is untailored, unstructured clothing that would not appeal to the store's targeted demographic. In a recent case, Fort Lauderdale store employee X was disciplined for wearing a halter top to work. The store manager relied on the store's sales history and targeted demographic, all of which clearly indicated that halter tops did not appeal to

¹ I have included these text boxes to clearly delineate each part of the CREAC structure. **DO NOT** use these labels when you submit your memo.

The Niche Boutique's clientele who are almost exclusively comprised of sophisticated, urban professionals in their late twenties to early forties. Instead, the sales data indicated that none of the three Niche Boutique stores had ever ordered or sold halter tops.

Senior store management evaluate the level of customer contact and the location of the employee's work station to determine if casual attire will be excused from the requirement that employees dress professionally. In evaluating this standard, senior management requires that employees be completely isolated from customers.

In a recent case, the district manager reversed the Tallahassee store manager's disciplinary action against employee Y, a stockroom clerk, who wore a halter top to work. Although conceding that the halter top was too casual to comply with the professionalism standard, the district manager nevertheless determined that the employee's total isolation from customers excused non-compliance. In explaining the decision, the district manager reasoned that the stockroom's inaccessibility to customers, and the employee's duties, which included stocking shelves and preparing inventory receipts, completely sequestered the employee from customer view.

Given employee Y's complete isolation from customers, the district manager further explained that the store's legitimate interest in protecting its reputation as a retailer of chic, sophisticated, and understated clothing would not be jeopardized by exempting a stockroom employee, who typically makes considerably less money than a sales associate, from the financial burden of complying with the dress code.

Rule Application

Sheila's outfit will most likely violate the Niche Boutique's dress code. Sheila's proposed outfit is casual clothing that would not appeal to the store's targeted demographic of chic, young professionals. In enforcing the dress code, store managers discipline employees whose attire would not appeal to The Niche Boutique's targeted demographic. Sheila's brightly-colored outfit, which consists of a sweater of alternating bands of yellow, green, red, and light orange and purple tennis shoes, is most suitable for a casual day of shopping or relaxing with friends and is not likely to be the type of conservative, understated clothing preferred by The Niche Boutique's young, professional clientele. Consequently, Sheila's casual outfit will probably not comply with the dress code.

Furthermore, like employee X who was disciplined for wearing a halter top that did not appeal to the store's target market, Sheila will likely be disciplined if she wears her brightly colored clothing and accessories because these items would most likely not appeal to young professionals who typically prefer the tailored, highly-structured clothing required in formal workplace environments.

Similarly, Sheila's casual attire is not likely to fall within the narrow exception to the dress code policy. The availability of exception requires complete isolation from customers and a completely isolated work station. To competently discharge her sales associate duties, Sheila will be required to answer customer questions about store merchandise, to distribute promotional materials, and to participate in customer appreciation initiatives. Consequently, Sheila will be given unlimited access to areas of

the store that facilitate the accomplishment of these job duties. Because sales associates must frequently interact with customers and must have unrestricted access to portions of the store customarily frequented by patrons, Sheila's multi-colored sweater, jeans, and purple tennis shoes will probably not be the type of casual attire excused from the general requirement of professionalism.

Unlike the employee in the Tallahassee store whose duty station was in an area that was inaccessible to customers, Sheila's primary duty station will be in an area of the store that is almost exclusively frequented by customers. For example, Sheila will be required to assist customers with purchases and exchanges – tasks that will require her to utilize a cash register that is only steps away from the store entrance.

Furthermore, unlike the stockperson in the Tallahassee store whose job did not require any customer interaction, Sheila's job will require frequent interaction with customers to facilitate a pleasant and enjoyable shopping experience. For example, on a typical day, Sheila will be required to greet hundreds of customers with a warm and friendly smile. Lastly, senior store management probably would not exempt Sheila's casual attire from the general requirement of professionalism because any economic burden created by compliance with the dress code would not outweigh the store's interest in protecting its reputation for selling chic, sophisticated, and understated clothing.

Conclusion

Sheila's multi-colored sweater, jeans, and purple tennis shoes will most likely be the type of casual attire forbidden by the dress code. Furthermore, given the direct interaction with and unlimited exposure to customers required of sales associates, Sheila's outfit will most likely detract from The Niche Boutique's corporate image and consequently, violate the store's dress code.

CONCLUSION

Sheila's brightly colored outfit and shoes embody a casual, relaxed style that would appear to be at odds with The Niche Boutique's reputation for selling chic and sophisticated clothing. Furthermore, as a sales associate, Sheila will not be completely isolated from customers. Instead, her duties will require direct customer interaction in areas of the store frequented almost exclusively by store patrons. Because Sheila's sales associate job will require her to be the proverbial "corporate face" of The Niche Boutique, store management will probably not excuse her casual attire. Consequently, Sheila should not wear the outfit in question on the first day of work.