



| Body Art/Tattoo Policy | |
|--|----------------|
| Section: Uniforms and Personal Appearance | |
| Personnel Affected: All Personnel | |
| References: | Forms: |
| <u>GO 208.02 – Investigation of Alleged Misconduct</u> <u>GO 208.03 – Disciplinary Guidelines for Substantiated Misconduct</u> <u>GO 209.01 – Personal Grooming</u> <u>GO 209.02 – Uniform Regulations</u> <u>City of Charlotte Policy HR5 – Harassment-Free Workplace</u> | |
| September 30, 2022 | |
| Reginald T. Johnson, Fire Chief | Effective Date |

I. PURPOSE

This General Order shall establish a policy concerning body art/tattoos for all Charlotte Fire Department (CFD) personnel, uniformed and civilian, while at work, on duty, or in uniform, to maintain the professional image of the Department.

II. DEFINITIONS

A. Body art

Body art is defined as an art form in which the artist’s body is the medium rather than the more conventional wood, stone, or paint on canvas. Body art includes, but is not limited to, tattoos, body piercing, branding, scarification, expanders, dermal anchors, and three-dimensional art or body modifications such as beading.

B. Tattoo

For the purpose of this policy, a tattoo is defined as a picture, design, or marking made on the skin or other areas of the body by staining it with an indelible dye, or by any other method, including pictures, designs, or marking only detectible or visible under certain conditions (such as ultraviolet or invisible ink tattoos).

III. POLICY

While in uniform, at work, or on duty, all CFD personnel are always expected to maintain a professional appearance and build community trust. Employees are expected to adhere to the guidelines set forth in this policy while engaging in professional activities. The department must be able to serve any citizen requiring the department’s service. To render that service, the Charlotte Fire Department must ensure that there is nothing discriminatory or inappropriate on any employee’s person visible to the public.

A. Tattoo Regulations

All CFD personnel must maintain standards of appearance that project a professional image to the public. The nature and content of certain tattoos does not conform with CFD's values, does undermine public trust and the trust of coworkers, and does negatively affect the reputation of the employee and bring CFD into disrepute. As such, the nature and content of tattoos described in subsections *1.a* and *1.b* below are strictly prohibited regardless of their location on the body. All employees' tattoos are subject to the standards and review process set forth in this policy.

1. Prohibited Tattoos Regardless of Location on the Body

- a. Tattoos that promote racism, or that advocate discrimination based on sexual orientation, gender identity, race, ethnicity, national origin, age, disability status, religion, or any other basis protected by law; tattoos that promote gang affiliations or extremist or supremacist philosophies.
- b. Tattoos that are obscene in nature; contain sexually explicit language; depict violence or nudity; depict illegal, immoral, and/or lewd images, or otherwise offensive content; or in any way ridicule, malign, disparage or express bias against any individual.
- c. Tattoos that do not fall within *Sections III.A.1.a-b* but are determined to be inappropriate for the work environment or undermine public trust and confidence and are visible between the top of the knee and ankle and/or between the elbow joint and wrist will be covered with uniform issued pants and/or a uniform issued long-sleeve shirt.

2. Prohibited Tattoos Based on Location

Regardless of content, tattoos are prohibited if located in the following areas:

- a. Above the shirt collar of a Class A or B uniform for those employees that wear a CFD uniform, as defined by *GO 209.02 - Uniform Regulations, Sections II.A and II.B.*
 - i. Those employees in civilian attire are permitted to have a tattoo no greater than 1" square behind the jaw line. Tattoos forward of the jaw line are not permissible.
- b. Below the wrist to include the entire hand.
- c. Exceptions:
 - i. One (1) ring tattoo symbolizing a commitment band is permissible.
 - ii. Tattooed makeup located on the face (e.g., eyebrows) giving the appearance of natural color and style is permissible.

Violations of this policy will be appropriately documented, and the employee's immediate supervisor shall follow directives in *Section IV* of this policy.

3. Permissible Visible Tattoos

Any visible tattoos that are not in violation of *Sections III.A.1-2* of this policy. Any CFD employee with a permissible visible tattoo will be permitted to wear short-sleeves and will comply with standards set per *GO 209.02 - Uniform Regulations*.

B. Body Piercings/Alterations/Modifications

1. Non-permissible Jewelry

- a. Those employees that wear a CFD uniform are prohibited from attaching, affixing, or displaying objects, articles, jewelry, or ornamentation to or through the nose, tongue, eyebrows, lips, or any exposed body part (includes visible through all uniforms).
- b. Employees in the Operations Division shall not wear earrings, due to safety concerns.
- c. For those permitted to wear nose jewelry (see *Section III.B.2.c*), a hoop-type or barbell-type ring shall not be worn. Single-stud nose jewelry larger than 1/8" in diameter shall not be worn.

2. Permissible Jewelry

Jewelry is permitted, as long as it does not draw undue attention to the individual wearing the jewelry, nor increase the possibility of personal risk to the wearer.

Department-issued badges or insignia are not included in this category. Specific rules are as follows:

- a. Necklaces may be worn; uniformed members shall not wear the necklace(s) exposed on the outside of the uniform.
- b. No more than two (2) rings per hand shall be worn by any personnel.
- c. Those employees that wear civilian attire are permitted to wear a single stud in the nose, where the stud is no greater than 1/8" in diameter.

3. Intentional alterations and/or modifications to an employee's body that result in a visible, physical effect that disfigures, deforms, or otherwise detracts from a professional image are prohibited. Examples of prohibited conduct include (but are not limited to) tongue splitting or forking; tooth filing; acquiring visible, disfiguring skin implants; and gouging/gauging (piercing holes large enough to permit light to shine through). Employees who intentionally alter and/or modify any part of their bodies to achieve a visible, physical effect that disfigures, deforms, or otherwise detracts from a professional image may be subject to disciplinary action up to and including termination, as determined appropriate by the Deputy Chief of Personnel Administration.

IV. SCREENING AND REVIEW PROCESSES

A. Screening Process

1. Applicants

During the hiring process, applicants to CFD shall disclose to their background investigator all tattoos regardless of nature, content, or location. The Deputy Chief of Personnel Administration will determine the permissibility of each tattoo in accordance with this policy. Any applicant with tattoos in violation of *Section III* who is unwilling to remove the tattoo will be eliminated from the recruitment process. Upon receipt of a conditional offer of employment, an applicant shall not obtain any additional tattoos in violation of *Section III*. Obtaining such additional tattoos after receipt of a conditional offer of employment shall result in withdrawal of the conditional offer of employment.

2. Current Employees

Current employees shall disclose all tattoos and body art regardless of nature, content, or location to the employee's supervisor as soon as possible but no later than 30 days after the effective date of this policy. Employees who have tattoos/body art prior to the effective date of this policy are subject to all provisions outlined in this policy and have thirty (30) days from the effective date of this policy to comply.

- a. The only acceptable method of compliance for tattoos in violation of *Section III.A.1* shall be complete removal.
- b. Acceptable methods for coverage of tattoos that violate *Section III.A.2* of this policy include Class B uniform shirt, removal, makeup, skin shields, adhesive bandages, or other flame-resistant covering. Any other method of covering tattoos or markings must be approved by the Deputy Chief of Personnel Administration.
- c. All methods of coverage and/or removal will be purchased at the employee's expense.
- d. Employees who fail to comply with this policy will be subject to discipline, including termination.

3. New Tattoos

Any tattoos acquired after the effective date of this policy are required to be disclosed to the employee's supervisor within ten (10) days of acquisition. If the tattoo is determined to be in violation of *Section III.A.1* and/or *III.A.2* of this policy, the employee must begin removal procedures within 30 days of the determination or be subject to termination. If an applicant or employee is unclear regarding content or location of a tattoo/body art, the applicant/employee shall seek approval by submitting a written request with a picture of the tattoo to the Deputy Chief of Personnel Administration, prior to receiving the tattoo.

B. Review Process

1. If the content of a tattoo or body art is suspected of being in violation of *Section III* or *Section IV.A.3* as stated above, the immediate supervisor of the employee shall be notified.
2. The immediate supervisor shall:
 - a. Notify the next step in the chain of command.
 - b. Notify the employee of the allegation, following GO 208.02 – *Investigation of Alleged Misconduct*, as appropriate.
 - c. Initiate the investigation of misconduct. All relevant documentation that exists shall be reviewed, as well as the employee’s tattoo(s).
3. Pending completion of the investigation:
 - a. Any employee that wears a CFD uniform with a visible tattoo between the elbow joint and wrist and/or between the top of the knee and ankle, and alleged not to be permissible, shall wear department issued blue uniform pants and long-sleeve uniform shirts per GO 209.02 – *Uniform Regulations* when on duty until the investigation is completed. Employees that wear civilian attire shall dress in a manner that covers the tattoo, per GO 209.02, pending results of the investigation.
 - b. If the tattoo is in an area alleged to be prohibited by this policy, the employee shall be placed on modified duty until the investigation is completed or until the employee complies with this policy by commencing removal procedures for the tattoo in question.
 - c. If the alleged violation is for a form of body art (*Section III.B*), the employee shall be placed on modified duty pending results of the investigation.
 - d. A panel comprised of members of the employee’s chain of command, a designee of the City Human Resources Department, and a designee of the City Attorney’s Office will conduct a review. The Fire Chief shall make the final determination after review of the committee recommendation.
 - e. Once a final determination is made, the employee and the chain of command will be notified of the outcome and any required actions to include following GO 208.03 – *Disciplinary Guidelines for Substantiated Misconduct*. In addition, the outcome will be included in the employee’s personnel file.