

Bra-Free at Work: Ending Sexist and Illegal Dress Codes

One of the first things many women do when they get home from work is to take off their uncomfortable bra. For these women who suffer from bras, there's good news. Change is busting out at the workplace that will create happier, healthier working women.

In case you have not been keeping abreast of the news, the New York Times recently reported about a dress code lawsuit in which, “Three girls in North Carolina were fed up with a school policy prohibiting female students from wearing pants. Skirts, they said, were uncomfortable and restrictive. They wanted to be free to play at recess, do cartwheels with the boys and focus on learning in the classroom — not the position of their legs.”

And the girls won. ““The skirts requirement causes the girls to suffer a burden the boys do not, simply because they are female,” the judge, Malcolm J. Howard, wrote in the ruling, filed on Thursday.”

The implications for mandatory bra usage at work is clear. You cannot force women to wear clothing that men do not have to wear for the same job, just because they are female. Women deserve protection against sex-based discrimination under the Equal Protection Clause of the Fourteenth Amendment.

And this issue is not only limited to the United States. According to the legal website, Above the Law, “The UK’s Government Equalities Office drafted and published a guidance on workplace dress code compliance with the 2010 Equality Act. The Guidance is basically advice for employers, and claims to “set[] out how the law might apply in cases of sex discrimination where an employer requires female staff to wear, for instance, high heels, make-up, hair of a particular length or style, or revealing clothing.”

It states that “[i]t is advisable to avoid gender specific prescriptive requirements. For example, any requirement to wear make-up, have manicured nails, wear hair in certain styles or to wear specific types of hosiery or skirts is likely to be unlawful, assuming there is no equivalent requirement for men.””

Canada is also sensitive to this issue, and has defended women's human rights to dress as they choose. According to the Ontario Human Rights Commission, "What we are concerned about is employers imposing requirements, either through a written dress code or more subtle means, that female employees wear sexualized or gender-specific clothing, such as high heels, low-cut tops, tight dresses and short skirts. Female employees should not be expected to meet more difficult requirements than male employees, and they should not be expected to dress in a sexualized way to attract clients. These requirements could be a violation of the Human Rights Code."

The Ontario Human Rights Commission website gives examples of legal decisions dating back to the 1980s which have found that dress code requirements create adverse impacts based on sex and violate human rights laws:

In *McKenna v. Local Heroes Stittsville*, a server's shifts were cut after she expressed concern about wearing a new form-fitting uniform due to her visible pregnancy. Previously, she had been allowed to wear t-shirts that were loose enough to not draw attention to her pregnancy, but management changed the uniform to form-fitting lycra shirts. The Human Rights Tribunal of Ontario (HRTO) found that the respondents wanted to re-brand the sports bar by emphasizing the sexual attractiveness of its staff, who were almost all women between the ages of 19 and 25, and they saw the applicant's visible pregnancy as inconsistent with their re-branding efforts. The HRTO found this to be discrimination and ordered the respondents to pay the woman \$17,000 for injuring her dignity, and almost \$3,000 in lost wages.

In *Mottu v. MacLeod*, a female server at a nightclub was required to wear a bikini top at a special work event. Instead, she wore clothing on top of her bikini top and complained to her union and employer. As a result, she was disciplined, assigned to a less desirable position at the club, and her work hours were reduced. The B.C. Human Rights Tribunal found these actions to be discriminatory.

In *Noseworthy v. Canton Restaurant*, a human rights tribunal found that a female restaurant employee was sexually harassed by the restaurant cook, who made unwanted sexual comments towards her and sexually assaulted her. These actions involved lifting up the woman's skirt – which she was required to wear to comply with the restaurant dress code – and touching her thigh. The tribunal also found that the employer's expectation for fe-

male staff to wear exclusively skirts, while male staff were allowed to wear pants, was discriminatory.

The message is clear. If men don't have to wear it, then women should not be required to wear it, either. And while "it" refers, in these cases, to high heels, low-cut tops, tight dresses and short skirts, this issue pertains to all clothing and appearance requirements at work where "female employees wear sexualized or gender-specific clothing", as the OHRC states.

What about Bras?

The lack of discussion regarding bras is interesting, and is the elephant in the room. Breasts are possibly the most sexualized parts of a woman's body in modern culture, reshaped by bras to create cleavage, hide nipples, limit breast movement, and reposition the breasts artificially high on the chest wall. All this is done for sexist fashion reasons alone. There is no health benefit to wearing a bra. In fact, wearing bras entails many health hazards, including causing breast pain, cysts, and cancer.

According to the 1991-93 US Bra and Breast Cancer Study, which is documented in the book, *Dressed to Kill: The Link Between Breast Cancer and Bras*, bra-free women have about the same risk of breast cancer as men, while the tighter and longer the bra is worn the higher the risk rises, to over 100 times higher for a 24/7 bra user compared to a bra-free woman.

Other studies now support these findings, although the issue is considered controversial since it challenges the status quo of fashion, sexism, and research models of cancer that ignore bra usage. You can see the discomfort that the culture has dealing with the bra issue by the lack of mention of bras in litigation over sexist dress codes.

However, despite decades of resistance to this issue, breast cancer research is now including bra usage as an important variable. See, [Should Bra Usage Become a Standard Question in Breast Cancer Research? New Study From Iran Says Yes.](#)

Even without the knowledge that bras cause disease, they are uncomfortable for many women who prefer to be bra-free at work or school. In fact, students have rebelled against school dress codes that require bras and have been winning. For example, see the article, [My high school abolished its sexist dress code. Things got better.](#) Also, being bra-free at school is now acceptable, according to Teen Vogue's

article on why you don't have to wear bras. [There's Actually No Real Reason You Need to Wear A Bra \(Unless You Want To\)](#).

A Canadian woman who was fired for refusing to wear a bra at work is having her case heard by the British Columbia Human Rights Commission. See ['It's a Human Rights Issue': Women fight for the right to be braless at work](#).

The writing is on the wall. Forcing women to wear bras at work is sex discrimination and a human rights violation. And since wearing bras is a leading cause of breast disease, the issue goes beyond fashion and sexism.

Implicit versus Explicit Dress Code

Bras are the final frontier for sexist dress code reevaluation. Sexist dress codes are meant for eye candy for men, emphasizing legs, cleavage, and cosmetically-enhanced facial features. Apparently, it's sexy to see some skin, and to be able to peek up skirts and down blouses. But if there is a nipple pressing through the blouse, or if the breasts are not positioned in a culturally-preferred way, then forget it. It's a turn off. Knees, crotch, and cleavage — *they're* okay; nipples and droopy breasts — not okay.

Nowhere in the rules is it mentioned that women are made uncomfortable, physically and psychologically, by needing to conform to these sexist standards of dress. Being objectified and judged for one's breast appearance is demeaning, self-deprecating, and reduces self-esteem. And conforming to those standards of appearance is uncomfortable and can lead to disease.

Women wanting to be bra-free at work are clearly between a rock and a hard place.

And women have to deal with these abusive, sexist expectations regardless of whether the dress codes are explicit or implicit. Most dress codes do not address bra usage. It is simply assumed that women will wear bras, so why mention it. Instead, women are told to dress professionally, without distracting others. Nipples and moving breasts are apparently a distraction to men who cannot mentally function once the blood rushes from one head to the other.

It must be pointed out, however, that bras sexualize the breasts, and do not prevent sexual attention and harassment. Bras create cleavage and make an issue out of breast appearance. They are fetish garments that belong in the bedroom, not the boardroom. Being bra-free is natural and does not make an issue out of breast ap-

pearance. It is only provocative because it is currently rare in the workplace. The change from bra to bra-free attracts attention because it is different, not because it is more sexual.

Can men control their instinctive urges to rape and pillage? Let's hope so, and make it so. This means we need to control men, not women and their breasts.

Benefits of a Bra-Free Workplace

As women liberate themselves from the constraints of bras and the need to wear them, there will be many positive outcomes. Here are a few:

More comfortable women means more productivity.

It's hard to go through the day with breast pain and cysts. Most women who wear bras suffer from these, and it's caused by constriction from the bra. It is a biological consequence of changing breast shape, which requires constant pressure from the garment, and this impairs circulation. When women stop wearing bras, they report that their breast pain and cysts disappear. They also report that they have less back ache, headaches, and shoulder pain, which are caused by the bra lifting large breasts and shifting that weight to the shoulders, creating deep grooves and nerve and muscle compression injuries. How can you do a productive day's work when suffering from these bra-caused ailments?

Fewer bra users means lower healthcare costs.

Breast disease is epidemic in bra-using cultures, so much so that having painful, cyst-filled breasts and fibrocystic breast disease is considered normal. It's not normal in bra-free cultures, or in bra-free women in bra-using cultures. The morbidity and mortality from breast disease is a major healthcare expense. If this can be reduced by freeing the breasts from the constriction from bras, then this will reduce healthcare costs.

Respecting women's rights makes the workplace a better place

The workplace should not be where women are sexualized, objectified, and intimidated into wearing uncomfortable and unwanted underwear. Respecting women's rights makes everyone more respected in the workplace, and creates a happier, healthier, more productive workforce.

Can the workplace become a breast-safe space?

Once all women stop wearing bras, this issue will fade. For example, there was a time when women were expected to wear corsets, which were also harming women from constriction. The first women who stopped wearing corsets must have stood out from the crowd, emphasizing the real curves and bulges that women have instead of the hour-glass figure they were “supposed” to have. It must have been scandalous to be a corset-free woman walking about, her body moving freely, as nature intended. And yet, to our 21st Century eyes, the corset-bound figure was clearly sexualized, emphasizing the waist, hips, and bust. Somehow, that sexualized appearance of corseted women became the norm and was considered proper and professional for women to wear. How did a sexualizing, harmful garment become a staple of fashion and an icon of proper womanhood?

The same question needs to be asked about the bra. How has this breast-fetish garment become associated with female professionalism? You can understand it being professional attire for a prostitute, who can make a living on breast fetishes. But how about at other jobs?

For example, the culture has held that female teachers should wear bras. That may not be explicitly stated, but the implicit cultural message is there. We would expect, it seems, that a teacher have her breasts in a bra. Why? Does the bra shield the children from sex-rays emanating from the breasts? Will the sight of nipples underneath the teacher’s blouse make students uncontrollable?

A male teacher, of course, can have nipples showing through his shirt. Men have nipples, of course, and so long as the male teacher is not trying to make an issue out of his nipples, one way or another, it is not an issue. We don’t expect male teachers to wear bras to hide their nipples, even though there may be female students and gay students who find the sight of nipples on men as attractive. We expect that students will control their urges when seeing men’s nipples protruding through a shirt. Why don’t we expect the same thing from students when it comes to female teachers? It may activate some pubescent urges, but part of the education process is to teach students how to respect others and control their own impulses.

Baby Steps

Clearly, once the bra is no longer a fashion icon, and it recedes into memory like the corset has, the sight of bra-free women will not be provocative. Bras have only been around for about a century. Women have lived without them for millennia,

and can do so again, and with better breast health. But in the meantime, there can be some baby steps we can take during this cultural transition. Here are some suggested steps:

Conduct employee seminars to discuss the rights of women to make their own choices about bra usage and the wearing of other sexist clothing.

It should be made clear that the workplace is not a place for sexuality, and that men and women should be treated equally and with respect. Sexuality should not be used to get promotions, favors, or create distractions. There should be examples of sexualized behaviors that are not condoned in the workplace. It needs to be made clear that being bra-free is not inherently sexual, just as wearing a bra is not necessarily sexual. Flaunting either practice can be sexual, however.

Train employees how to focus on their job and not on co-workers' breasts.

We are all trained by the culture to obsess over breasts and to objectify women. There needs to be sensitivity training to teach men and women how to identify when they are being rude to female co-workers and how to manage their thoughts and impulses.

Provide a mechanism for women to express concern over sexual harassment for being bra-free.

Women need to feel that their place of work is a safe space. Overcoming the bra habit is a challenge for many women who have been conditioned since childhood into believing that they need to wear bras to be acceptable in public. Bra-free support groups could help women discuss this important transition. And an anonymous tip line could help these women address workplace harassment for being bra-free.

Provide Fashion Advice

There is only one reason why bras are considered professional attire. It's because of bra industry marketing to a sexist culture. Making matters worse, the fashion industry designs women's clothing with the assumption that a bra will be worn. Without a bra, many garments don't hang correctly.

Clearly, there is a need for healthy, bra-free, non-sexist fashions. Fashion consultants can be hired to suggest different ways women can dress comfortably and pro-

professionally without having to wear a bra. There are ways to de-accentuate the breasts and hide nipples, such as selecting blazers and jackets, shirts with pockets, loose clothing, and other fashion tricks. Showing female workers these fashion ideas will help de-stigmatize being bra-free.

Offer a bonus to women who become bra-free for reducing healthcare costs.

Harmful lifestyle habits affect healthcare costs at work. Insurance companies already give discounts for healthy lifestyles, such as not drinking or smoking. The same should be done for not wearing bras.

If women at work were divided into two groups — one using bras and one bra-free — then there will be an obvious difference in morbidity and mortality due to breast disease. And since painful, unhealthy breasts also make a woman irritable, uncomfortable, and less productive, being bra-free will improve productivity and morale at work, as well as reduce healthcare costs. This will also de-stigmatize being bra-free at work.

What about horny men and critical women?

In a culture where men traditionally sexualize and objectify women, and women are trained and compelled to participate, a bra-free culture may seem as unlikely as a female Head-of-State, or a female head of a multi-national corporation once seemed to be. After all, boys will be boys, according to this sexist mindset. And women who define their sense of self by their breast appearance will also scoff at other women who do not comply with culturally-defined, sexist standards of appearance.

In fact, from the feedback we have received from women participating in the ongoing [International Bra-Free Study](#), the biggest critics of bra-free women at work are other women. Once women are brainwashed into believing that their breast appearance is important for success, there is competition over appearance, and condemnation of those who don't play the game.

But the culture is changing. Women are becoming leaders throughout the world, and more women are refusing to wear bras. These go together. Bras are oppressive, unnecessary, uncomfortable, and a risk to health. As women become increasingly liberated from past social oppression, they will be liberated from the bra, a symbol and sign of that oppression.

As we have seen in the #MeToo movement, women are speaking out against sexist oppression and exploitation. They are questioning why they wear bras in the first place while men are free to be without such constriction and breast-reshaping. Women want the freedom to choose the underwear they wear... or don't wear. Many are choosing to ditch the bra. They need to be free to make these decisions, especially since there are not only political consequences, but health consequences.

Men, and women, need to learn how to control their power and urges. Women should not be harassed into wearing bras because it might distract a co-worker. Co-workers need to learn how to keep their minds... and eyes... on their jobs. This will require some adjustment time for men to learn what is and is not acceptable, and for women to stop judging other women.

As the culture evolves from sexism to respect, women will be more productive and healthier at work. Men will learn how to limit their sexual aggressiveness. Women will support one another's personal choices regarding whether or not to wear a bra. And the breast disease epidemic, which is largely driven by bra usage, will become a thing of the past.