

HUMAN RESOURCES POLICY

Fauquier County, Virginia

Policy Title: Uniforms, Protective Clothing and Safety Equipment

Effective Date: **10/01/13**

Section No.: 15

Supersedes Policy: **6/17/02**

I. PURPOSE

It is the objective of the Board of Supervisors to provide, as appropriate, uniforms, business attire, protective clothing and other wearable safety equipment to specified employees for use in the performance of their job duties. The purpose of this policy is to provide guidance pertaining to employer-provided clothing and wearable safety equipment, including the acceptable types, standards, procedures, terms of use, and tax implications of such items.

II. SCOPE

This policy applies to all full-time, part-time and temporary employees.

III. TYPES & STANDARDS

A. Protective Apparel

- 1) **Safety Shoes:** Protective footwear used in workplace environments susceptible to foot injuries that may include heat-resistant soles and/or impact-resistant toes. The following standards apply to the provision of safety shoes:
 - i. Safety shoes shall be provided to each employee whose position requires the wearing of protective footwear.
 - ii. The County shall provide no more than two (2) pairs of safety shoes per year to each employee at a cost not to exceed the amount established in the fiscal year budget.
 1. An employee may purchase a higher priced safety shoe by paying any additional cost.
 2. An employee purchasing a higher priced safety shoe must present a purchase sales receipt to the respective Department Head/Constitutional Officer for reimbursement. All safety shoe purchases must comply with this policy section.
 - iii. Safety shoes shall be replaced as the shoes become unserviceable. An employee's Department Head/Constitutional Officer or other designated official, in coordination with the Risk Manager, shall determine when safety shoes must be replaced.
 - iv. All safety shoes worn by employees shall be classed according to ANSI Z.41.1-1967 Standard as prescribed by OSHA (Regulation 29, CFR Part 1910-136).

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- v. The Department Head/Constitutional Officer, in coordination with the Risk Manager, shall resolve:
 1. any questions regarding the acceptability of shoes;
 2. any requests to be provided safety shoes by employees whose position classification does not require them; or
 3. any requests to waive the safety shoe requirement.
- 2) **Hard Hats:** Protective headwear used in workplace environments susceptible to head injuries caused by falling objects, impact with other objects, etc. The following standards apply to the provision of hard hats:
 - i. Hard hats shall be provided to each employee whose position requires the wearing of protective headwear.
 - ii. The County shall, at the time of the appointment to a position which requires the wearing of protective headwear, provide one hard hat to each employee.
 - iii. All hard hats worn by each employee shall be classed according to ANSI Z.89.1-1969 and Z.89.2-1971 Standard as prescribed by OSHA (Regulation 29, CFR Part 1910-135).
 - iv. Any questions regarding the acceptability of hard hats or exceptions to the requirement to wear hard hats shall be resolved by the Department Head/Constitutional Officer in coordination with the Risk Manager.
- 3) **Safety Gloves:** Protective equipment worn over the hands. The following standards apply to the provision of safety gloves:
 - i. Protective gloves shall be provided to each employee whose position requires the wearing of safety/protective gloves.
 - ii. An employee shall be provided with no more than one pair of safety gloves per fiscal year. If applicable, all protective gloves worn by an employee must comply with designated OSHA specifications adopted by the County.
 - iii. Protective gloves shall be replaced as they become unserviceable. An employee's supervisor or other designated official, in coordination with the Risk Manager, shall determine when gloves must be replaced.
 - iv. The Department Head/Constitutional Officer, in coordination with the Risk Manager, shall resolve any questions regarding the application of this requirement.

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- 4) **Safety Eyeglasses/Eyewear:** Protective equipment worn to cover the eyes and/or face. The following standards apply to the provision of safety eyeglasses/eyewear:
 - i. Safety eyeglasses shall be provided to each employee whose position requires protective eyeglasses to be worn on a continual basis.
 - ii. One pair of protective eyeglasses, to include the eyeglass frame and lenses (plain and prescription), shall be provided to each employee. The employee shall be responsible for any cost associated with an ophthalmologic or related examination required to determine the prescription of lenses.
 - iii. Protective eye equipment (e.g. goggles, hoods, etc.) shall be provided for an employee who is required to operate dangerous equipment or be exposed to hazardous situations.
 - iv. The Department Head/Constitutional Officer, in coordination with the Risk Manager, shall resolve any questions regarding the application of this requirement.

- 5) **High Visibility Vests:** Protective equipment that has highly reflective properties or colors that make them easily discernible from any background. The following standards apply to the provision of high visibility vests:
 - i. High visibility vests shall be provided to each employee whose position requires the wearing of this apparel.
 - ii. The Department Head/Constitutional Officer, in coordination with the Risk Manager, shall resolve any questions regarding the application of this requirement.

- 6) **Other Protective Apparel:** Other protective garment that is worn over, or in place of, regular clothing to protect the employee from injury or harm, as well as abnormal soiling, or unsanitary environments.

B. **Other Apparel**

- 1) **Uniform:** A uniform is attire required to be worn in the performance of assigned duties (generally associated with public safety personnel). A uniform is not suitable for taking the place of regular clothing.

- 2) **Business Attire:** Business attire is clothing that makes the employee easily identifiable as County staff serving in an official capacity. A shirt is the only item

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of clothing that qualifies as Business Attire under this policy. In addition, the shirt must meet all of the following criteria:

- It must be required apparel for work and/or events as specified by the Director or Department Head;
 - It must have "Fauquier County", the Fauquier County seal/logo, and/or the name of the Department or group printed or monogrammed where it is clearly visible;
 - The shirt must be worn only when serving in an official capacity for the County and cannot to be worn for everyday wear.
- 3) **Other clothing:** an article of clothing that does not meet the definition of uniform, business attire, or protective apparel is other clothing.

IV. PROCEDURES AND TERMS OF USE

A. Protective Apparel

1. Safety shoes, hard hats, safety gloves, safety eyeglasses/eyewear, high visibility vests, and other protective apparel shall be provided to each employee whose position requires the wearing of such items, as determined by Department Heads/Constitutional Officers, and/or the Risk Manager.
2. Department Heads/Constitutional Officers, in coordination with the Risk Manager, shall determine if the respective Department or employee shall perform cleaning/repair activities based upon practical and economic considerations.
3. An employee's supervisor or other designated official, in coordination with the Risk Manager, shall determine when protective apparel are non-serviceable and must be replaced.
4. All classes of protective apparel remain the property of Fauquier County, and as such, must be returned to the employer upon separation of employment.

B. Other Apparel

1. Uniforms, Business Attire, and other clothing shall be provided to each employee whose position precludes wearing personal clothing for reasons of prospective damage to normal personal work attire, easy identification for the sake of citizen and/or customer convenience, or for safety considerations or other concerns.
2. Department Heads/Constitutional Officers shall identify positions requiring Uniforms, Business Attire, or other clothing.

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3. Uniforms, Business Attire, and other clothing shall identify the wearer as an employee of Fauquier County by containing "Fauquier County", the Fauquier County seal/logo, and/or the name of the Department or group printed or monogrammed where it is clearly visible.
4. Department Heads/Constitutional Officers shall determine if the respective Department or employee shall perform cleaning/repair activities based upon practical and economic considerations.
5. An employee's supervisor or other designated official shall determine when Uniforms, Business Attire, and other clothing are non-serviceable and must be replaced.
6. All classes of other apparel remain the property of Fauquier County, and as such, must be returned to the employer upon separation of employment.

C. Employee Responsibilities (Terms of Use)

1. The loss or excessive wear of protective apparel and/or other apparel shall not relieve the employee of the responsibility to wear the required apparel and/or safety equipment.
2. The loss or destruction of protective apparel and/or other apparel due to employee negligence shall be the responsibility of the employee.
3. No apparel governed by this policy may be worn by any employee except when they are on duty and acting in their capacity as a representative of Fauquier County, or commuting to and from work. Any violation of this section of the policy will result in disciplinary action against the offending employee.

D. Departmental Safety Policies and Special Requirements

1. Department Heads/Constitutional Officers may implement policies or special requirements which exceed those outlined in this policy. Any such departmental policies and/or special requirements shall take precedence with respect to this policy.
2. Department Heads/Constitutional Officer has the responsibility of determining the appropriateness of the clothing expenditures in their area of supervision. These decisions should be guided by various factors including cost, budget, business use, public contact, personal safety and consistency. The approval is required on all clothing purchase invoices.
3. Department Heads/Constitutional Officers are responsible for keeping specific details of the following nature:

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- i. List of specific employees/positions eligible for Uniforms, Business Attire, or Protective Apparel;
- ii. Frequency of purchase;
- iii. Dollar limit of clothing item, if applicable;
- iv. Specific time/events when clothing is to be worn;
- v. Statement that the clothing is to be worn only while performing official Fauquier County duties;
- vi. Return of clothing item when the employee leaves employment;
- vii. Depreciation time frame for clothing.

V. TAX IMPLICATIONS

- A. Uniforms, Business Attire, and Protective Apparel are not taxable fringe benefits to the employee.
- B. All other clothing may be considered a taxable fringe benefit to the employee (to the extent that the items are provided by Fauquier County) unless the value of the clothing is de minimis (\$49 or less), and is provided on an infrequent basis.