

## Fired WTIC Employee Fighting Hair Rule

By BARRY SCHIFFMAN

A radio announcer, who was discharged by WTIC in a dispute on the length of his hair, has filed a grievance with the American Federation of Television and Radio Artists, which represents station employees.

Lou Palmer, who has been with the Hartford station for five years and has been an announcer for 15 years, was discharged last Friday after he was told to cut his hair.

The announcers at WTIC have tried to negotiate the company rule that hair must be cut above the collar, but have been unsuccessful in attempts to get to the company to bargain over the issue, Palmer said.

He appealed to the union on the basis that his discharge resulted from being asked to carry out an unreasonable order. He said he is hopeful of winning his case and returning to work at WTIC.

Palmer also said he complied with his supervisor's instructions to cut his hair before he was discharged.

The production manager at WTIC told Palmer to have his hair cut last Wednesday and Palmer said at first he refused. But Thursday he reconsidered and wrote a memo stating both his objections to the company's policy and his intention to get his hair cut anyway.

Palmer had his hair cut Thursday, but was summoned to the general manager's office on Friday and discharged. Palmer said he objected that he already cut his hair, but was told it was too late.

A spokesman for WTIC said the company would have no comment. "Our policy is that any personnel matters are between the individual and the company," he said.

September 14, 1972

To: Mr. Patricelli

From: Lou Palmer

Within the past few days my attention has been called to a management memo concerning hair length and appearance. I was told that since the back of my hair touched my shirt collar that I was in violation of this directive. When I very politely said that I felt it not to be extreme and that I disagreed with the memo, I was told that I ran the risk of losing my job.

Naturally, since this is a serious matter I read the memo very carefully and if you will allow me, I have a few comments for your consideration.

To begin with, the memo implies that there is a direct, or at least, indirect relationship between the length of one's hair and his ability. Logically, of course, there is no relationship at all between the length of one's hair or the style in which he chooses to comb it, and his ability or lack of it. Were it true the hair length had any bearing at all on one's ability, logically, then, it would follow by the logic of this memo that all persons with short hair would have ability and all persons with long hair would not. Obviously, this is not the case since we find gifted people with long hair, gifted people with short hair, gifted people with no hair and many variations along the line. We also find incompetent people with short hair, incompetent people with long hair, incompetent people with no hair and again, many variations along the line. Therefore, the length of one's hair cannot be the determining factor in terms of ability.

The memo, however, does state that there is an association among members of the public between neatness and quality. Undoubtedly, this is true in many cases, though, obviously even this cannot be true in all cases. One need only cite the quality of work produced by individuals such as Eugene O'Neill, Albert Einstein or Toulouse Latrecque. Each of these individuals was regarded by society as unkempt. This is not an argument in defense of being unkempt. It is merely a statement that an unkempt appearance in the above-cited cases did not preclude quality work. It is also true that the quality work was not directly the result of being unkempt. In short, quality is not contingent on whether or not one is or is not unkempt or neat. Quality can be produced by a neat person and quality can be produced by an unkempt person. The opposite is true. Mediocrity and incompetence by neat persons, as well as unkempt persons, is also possible and very probable.

We, therefore, come down to the determining factor of what is neat and what is not neat. On that score, perhaps management must consider the changing standards even in our present society. The memo would indicate that a person whose hair extends that a person whose hair extends over his collar is first of all maintaining an unkempt appearance and secondly, by earlier logic, incapable in the eye of the public of producing quality work. Obviously, this cannot be true.

One need only look at leaders of our present society to disprove the foregoing. The Rev. Billy Graham, for example, whose reputation as a moral and spiritual leader is unquestioned, does have hair which extends over his collar. As does British Minister Heath (whose hair also extends over his ears). As does seven-time Olympic gold-medal winner Mark Spitz (who also has a mustache).

Perhaps needless to say, American history is filled with many other examples of individuals who have produced quality work in spite of, or more accurately, irrespective of hair length or style. Look at a \$1 bill or a \$5 bill or a \$10 bill and see three examples of men who produced quality work and were leaders, yet three men who could not have worked here under terms of management's memo on hair length and styling. This is proof again that quality does not derive from hair styles, mode of dress or any other social moré. The reverse is also true from the standpoint of logic. Maintaining a rigid code of neatness does not automatically ensure quality. If this were true, only neat people would do quality work and of course, this is irrational.

There is another point I submit for your consideration. As an American and business leader, you are, quite obviously interested in upholding the Constitution of the United States. Yet this rigid, and in view of today's changing society, irrational code of neatness, is counter to anyone's concept of the Constitution. It is an unnecessary, illogical and irrational infringement on one's basic right to choose his own standards of neatness. Most, importantly, though, it is based on the false standard that public image is the only barometer by which one measures quality. This, in face of the fact that recent evidence seems to indicate that even the public's attitude is changing.

As clearly as possible, I have tried to present my logical reasons for revision of this restrictive policy. As President of the Company, you still have the authority to either rescind, modify or leave unchanged this policy. Employees such as I then must either abide by the policy, try to change it (as I am trying), challenge it in the courts, or leave the company. For the present, I have ruled out all of the other alternatives and will abide by the policy though I disagree with it.

You must be aware, though, that somewhere along the line this policy will be challenged and, of course, will be overturned. If it is done through the courts, the company and all of us who work for it will suffer. The end result must be an even more destructive breakdown of company standards. Unfortunately, even reasonable standards begin to crumble once unreasonable standards are challenged and overturned. Yet, it is so needless. To persist in this matter, will, in the long run, defeat your own purpose which must be to maintain minimum standards of neatness and of course, history has taught us time and time again that a house divided against itself must fall. History has also proved the old adage "you can catch more bees with honey than you can with vinegar". A directive on minimum standards must be worded so that it gives people some credit for being adult, responsible people who do have the right to individuality. It must not be a threat and it must be fair.

I am sure that you defend the right of reasonable and respectful dissent. In a reasonable and respectful way, I have told you that I disagree and I hope that this restrictive policy will be revised.

-3-

In the future, as in the past, I will continue to voice my respectful opposition to what I regard as bad policy. If that policy is not revised or dropped I will, of course, abide by the policy while continuing to try to change it. To remain silent, however, as is the case with many in the organization who disagree with policy, is to abdicate your responsibility as an employee. Thank you for your time.

cc: Messrs. Tyrol, Smith, Peterson, **Miller**, Dwyer

Date: September 15, 1972

To: File

Re: Meeting Held In Mr. Tyrol's Office Friday, September 15, 1972, at 9:00 AM

Present: Messrs. Tyrol, K. Smith, Peterson, Miller, Marks

Purpose of the meeting was to get the background leading up to the memo written by Lou Palmer disagreeing with the Company's policy on hair grooming. Memo was addressed to Mr. Patricelli and carbon-copied to Messrs. Tyrol, K. Smith, Peterson, Miller and Dwyer.

Bill Marks advised that early last week, probably Tuesday, September 5, he spoke to Lou Palmer about the length of his hair -- that he felt it was too long to conform with the Company's policy on hair grooming. Marks showed a copy of the memo outlining the policy to Palmer. Palmer said that in his opinion his hair was all right. Marks said that much was said but this was the essence of the conversation. Mr. Tyrol asked if Palmer was insolent and Marks said that Palmer is never insolent, that he may disagree with certain things, but is never insolent. The end result of Marks's conversation with Palmer was that Palmer stated he was not going to get his hair cut (it was remarked that he had gotten a hair cut the preceding Friday). Marks pointed out the seriousness of this decision.

Mr. Miller went to see Palmer a little later the same day. Palmer asked Miller if he felt his hair was too long and Miller told him he should have it cut to conform with Company policy. Palmer told Miller that he really felt that he was a pretty good judge of when he needed a hair cut. Miller says that Palmer has never refused to obey an order outright. At the end of the conversation, Palmer told Miller that he would get his hair cut and it was left at that. Miller says there was no dissension, that Palmer didn't agree that his hair was too long but that he'd take care of it.

Marks said that about a week went by and then the day before yesterday, Wednesday, September 13, he spoke to Palmer again. Palmer had not gotten a hair cut. Marks said "What kind of a boss am I if I let you get away with it? Either you get your hair cut or I'll be forced to report it." He said there was a lengthy discussion (constitutionality of our policy, etc.) to the effect that he was not going to get his hair cut. Marks told Palmer he liked him personally, his work was good but that in this instance he was wrong. He told him that he (Marks) was useless if Palmer wasn't going to do what he told him to do. Marks then sent Miller a written memo about this conversation.

Miller talked to Palmer again later on Wednesday. He asked him if he was prepared to accept the obvious consequences of his refusal to cut his hair. Palmer said yes he was, that somebody had to stand up against this Company policy. He reiterated that he felt he was the best judge of when he needed a hair cut. Miller told him that he left him no alternative...he would have to report this. Palmer then started to expound on the subject but, after about

10 minutes said, "Well, I suppose it's not going to do me any good.... I might as well get a hair cut." Miller asked him if he wanted him to forget what he had told Bill Marks; in other words, was he now reversing himself. Palmer said yes. Marks said that Palmer later told him how he had seen Ross Miller and was going to get his hair cut.

Marks said that on Thursday, September 14, Palmer showed him a rough copy of the memo he later sent out. He said he thought it was the same memo but that the heading was different....the addressees' names were at the top. Mr. Tyrol asked the men present if it was their opinion that Palmer had typed his own memo or had someone do it for him. All felt that Palmer had typed it himself, that he had often typed notes and was a pretty good typist. Mr. Tyrol said he had asked Mr. Lundborg whether he thought Segal had approved Palmer's memo before it was sent out. Lundborg said he thought that Segal would have advised Palmer to tear it up. Marks said that he was greatly surprised by Palmer's action, that he was always very professional, easy to work with, etc.

It was the consensus of the men present that to all intents and purposes Palmer had via his memo called the President illogical and irrational. It was pointed out that the secretaries of the management officials to whom the memo was addressed had all read the memo and in this manner the news would have spread to the staff....Palmer making a grandstand play and putting the President in an awkward position. It was also pointed out that Palmer did not avail himself of the last paragraph of the policy memo (anyone believing he had compelling reasons why he should not be required to respect and observe the policy could discuss them with Mr. Tyrol).... that he should have gone directly to Mr. Tyrol and discussed the matter. Marks said he specifically pointed this out to Palmer when he showed him the policy memo on September 5.

Miller said he wanted to mention a little background whether or not it had any bearing on the case. Palmer has a retarded daughter who is now in the hospital and his wife has been emotionally sick for some time and had been hospitalized fairly recently. Palmer himself has been "a little sick" during the past year because of these family problems.

Ken Smith felt that Palmer's intent must be considered. Palmer had made serious charges about our policy and, since he retyped the memo from a rough, he had had time to think about it. Palmer did, however, state that management has the right to set policy and that he would abide by it. Mr. Smith said that Palmer should not have sent the memo but wondered if there wasn't some way that Palmer could be "rescued."

It was pointed out that Palmer had insulted the President, compounding it by carbonning other management officials. Mr. Peterson felt that for this reason and because Palmer had refused to obey the orders of the Production Manager and Program Manager, he should be fired. It was discussed whether Palmer could send another memo with carbons to the men involved,

apologizing for his action. Mr. Peterson felt that this would be another humiliation to the President.

Mr. Tyrol said that Mr. Patricelli had wanted Palmer taken off the air yesterday afternoon but that he had suggested determining whether there weren't extenuating circumstances; hence the purpose of this meeting. It was wondered again if Palmer could be retained if he sent a direct written apology with carbons to the men who received copies of Palmer's memo of September 14.

Mr. Miller said that once the word is out, it could never be brought back, that once the impact is made on the staff, the scar couldn't be removed. Then he said the only thing Palmer could do would be to get his hair cut and apologize personally to the President and make it known to the staff that he had done so. He then wondered whether to follow this route wouldn't be just as humiliating to Mr. Patricelli, saying that it would be difficult to overcome the fact that Mr. Patricelli's position as President is being undermined. He said that Palmer has broken the rule... has not done what Bill Marks told him to do. Bill Marks said that it has been "perfection" with Palmer until this.

Mr. Smith said you can't decide not to fire a man because you don't want to lose him, but said he'd like to see Palmer get out of this box he's put himself into. Mr. Tyrol said "We all would." Then he said "The ultimate decision will not be ours."

All present felt inclined to try to seek a way out for Palmer because of his family problems, his exceeding talent, his very good relationship with management, etc., without losing the morale of the staff. If Palmer could be "saved" Marks felt that we would find a different man in him, that he didn't feel there would be any hurt to the Company and that everything would come out well. Everyone agreed that Palmer did a stupid thing.

Notes taken by eo'l  
9/15/72

WTIC-TV

DATE: October 6, 1972

TO: FILE

FROM: K. Smith

RE: LOU PALMER

Palmer met with Mr. Tyrol on Monday, October 2, and reviewed the sequence of events which had led to his dismissal. He told Mr. Tyrol that he meant no disrespect in sending his memo to Mr. Patricelli with carbons to Messrs. Tyrol, Smith, Peterson, Miller and Dwyer. He apologized to Mr. Tyrol and later to Mr. Patricelli and promised to apologize to Messrs. Miller and Marks.

As the result of these meetings, he was rehired and began work on Tuesday, October 3.

AFTRA has agreed to withdraw the Grievance of September 15.

  
KS:ITM



October 11, 1972

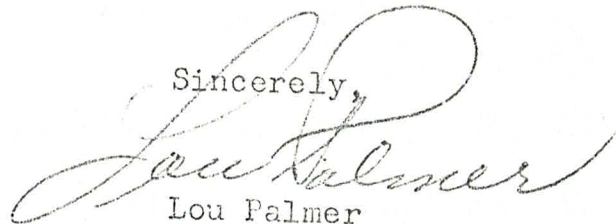
Dear Mr. Patricelli:

Please accept this note of gratitude to you and to the company for giving me the opportunity to sit down and discuss our differences, thus paving the way for my return to the station. I'm sure you can appreciate the past week or 10 days has been a rather hectic period for me which accounts for the belatedness of this note. Although it is belated it is no less sincere.

The fact that honest men can have differences but can rise above them is very assuring to me as it must be to you. Though we had a disagreement, it is quite obvious that we share a deep regard for the listeners and viewers of WTIC, as well as our fellow workers. To know that we agree on the really important matters is assurance of that mutual regard.

It's really good to be back!

Sincerely,

A handwritten signature in cursive script that reads "Lou Palmer". The signature is written in dark ink and is positioned above the printed name.

Lou Palmer

cc: Messrs. Tyrol, Smith, Ahles, Peterson, Miller, Dwyer, Marks

DATE: October 13, 1972  
TO: FILE  
FROM: K. Smith  
RE: LOU PALMER

Palmer's memo of October 11 was delivered in the morning mail October 12. Late that afternoon, Mr. Patricelli asked Messrs. Eaton, Miller and me to meet with him.

He asked for opinions as to the acceptability of the memo. The consensus was that it was not in accordance with the understanding that Patricelli had that Palmer would retract his original lengthy memo.

It was decided that Mr. Patricelli would see Palmer at 10:30 the next morning. In the meantime, a call was placed to Wally Lundborg. He was not in the office, nor at home, but a message was left for him to call.

When I arrived at home, Mr. Lundborg had just called me. I returned the call and explained the situation. Lundborg's feeling was that Patricelli should not meet with Palmer, but indicate by memorandum that his latest note was not acceptable and that he was turning the matter over to Tyrol.

The next morning, Mr. Patricelli and I talked by phone with Mr. Tyrol, who was in New York, and decided that Mr. Patricelli should meet with Palmer but that he should simply state that he was not satisfied with this response, that he considered matters returned to the state just prior to Palmer's discharge, and that he was turning the matter over to Tyrol, who would be in touch with him next week. Mr. Miller was to witness the conversation.

Following the meeting, Mr. Patricelli said that things had gone pretty much as planned and that Palmer seemed apologetic and anxious to discuss the matter in more detail.

I learned at lunch that Palmer had then spent an hour with Ross Miller after the meeting with Mr. Patricelli and that Palmer had called Patricelli's office asking if he could see him before going on the air that afternoon. After consulting with several of the officers and with Wally Lundborg, Mr. Patricelli agreed to see him but planned to reiterate his position that he and Palmer not discuss the matter further but that Palmer make plans to see Mr. Tyrol next week. In the event that Palmer brought a new, apologetic memo with him, Patricelli's plan was to thank him for it, not read it, but suggest that he show it to Tyrol during their meeting. This is apparently what transpired.

  
KS:ITM

WTIC MEMORANDUM

DATE: October 16, 1972

TO: Messrs. Tyrol, Smith, Ahles, Eaton, Peterson, Miller, Park, Muriaty, W. Dwyer, Marks

FROM: Leonard J. Patricelli

Attached is a copy of a memo from Lou Palmer. I believe it speaks for itself, and he has been notified by Mr. Tyrol that it is acceptable to management.

  
/asp

Attachment

# WTIC TV3 • AM • FM

Broadcast House • 3 Constitution Plaza • Hartford, Connecticut 06115 • (203) 525-0801

October 14, 1972

Dear Mr. Patricelli:

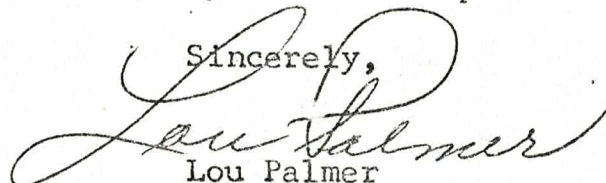
Please accept this written apology for the manner in which I voiced my disagreement with company policy on hair style and appearance. After our personal discussion on October 2, I more fully understand the reasons for the company policy and guarantee that I will abide by the policy in the future. I also realize that the memorandum which I sent to you on September 14 with copies to other company officials served to undermine the authority of your office, though I wish you to understand that I did not intend this to happen.

I especially wish to underscore my personal apology to you for anything in my memorandum which seemed to imply that company policy in this matter indicated that you personally were illogical, irrational or restrictive. This was not what I intended, but I realize that the inference was there and I deeply regret this.

I also wish to apologize to you and to the company for any embarrassment my actions may have caused. I more fully understand my responsibility to carry out company policy regardless of whether or not I agree with it.

I am deeply grateful for your giving me the opportunity to personally apologize, for the opportunity to return to WTIC, and for the opportunity to retract anything which was personally, or from a company standpoint, offensive in my memorandum. In the true spirit of reconciliation, I offer you my deepest apologies and regrets and hope that you will accept them.

Sincerely,

  
Lou Palmer