Don’t Pass on Jewelry Enforcement

It happens at the start of every high school basketball season.
During pregame warm-ups, you observe tape over A1’s earlobes, covering earrings.
“Could you please remove those earrings?” you ask politely.
“But I just had my ears pierced this afternoon,” comes the response. “I can’t take them out.”

Every official should know that the only options for the player are to remove the jewelry or sit out the game. NFHS and NCAA basketball rules prohibit a player from wearing jewelry (NFHS 3-5-6; NCAA 3-5-7), as do most other sports.
Officials need to enforce the safety rules in their sport. That seems simple enough.
But what happens at the recreational or the summer league game, when the director tells you the league allows players to wear jewelry or other potentially dangerous items? Should you work the game and let the director worry about the rest? Officials should give priority to participant safety and, in the process, their own financial security.

Player safety is a major consideration behind every sport’s uniform and equipment rules. Most rules prohibit equipment that is dangerous to other players, and place the burden on officials to police illegal equipment. In general, officials must use discretion to determine what is and is not dangerous. For certain equipment, including jewelry in most sports, the rules simplify an official’s job with an outright ban.

Jewelry can be hazardous to the wearer as well as others. Just because a league allows players to wear jewelry, that doesn’t diminish the danger. If an opponent’s finger gets caught in a hoop-style earring, the jewelry wearer might lose an earring and a chunk of earlobe. Metal or hard plastic finger splints could cause lacerations or eye damage. An earring that flies loose not only could land in someone’s eye, but also could turn into a slip hazard. A dangling necklace could choke its wearer. One high school basketball player actually lost a finger when his ring became entwined in the net.
The fact that a casually operated league may suspend or modify rules should not convince an official to overlook obvious safety risks. Because the rules place the duty on officials to police illegal equipment, an official’s failure to do so constitutes negligence. When arguably illegal equipment causes or contributes to an injury, an official can expect to defend a lawsuit.

What happens if an injury occurs during that “relaxed” summer league game? If a player’s bulky and sharp-edged class ring slices the cornea of an opponent’s eye, there’s little doubt that the officials responsible for the game would be held liable. Contact between a player’s hands and an opponent occurs so frequently in sports that the danger of wearing hard or sharp objects on a finger is obvious. A capable personal injury lawyer will have little difficulty finding a paid expert witness, probably a retired referee with excellent credentials, to testify that officials are negligent when they allow a player to wear potentially dangerous items.

Before you work a game in any sport where players are allowed to wear jewelry or other normally illegal equipment, ask yourself, is the game fee worth the liability exposure? Take the game knowing you’ve made a call that will be second-guessed.

Medals vs. Jewelry
Medical alert medals are not considered to be jewelry. Even if worn on a necklace, medical alerts constitute legal equipment. Some rules provide that medical alert medals “must be taped and may be visible.” (Check your sport’s rulebook for specific guidelines.)

Do not treat such medical alerts like jewelry and require their removal. By rule, the safety advantage to the player wearing a visible medical alert outweighs the potential danger of a properly taped medal.

Got It Covered?
When a personal injury lawsuit hits an official, what is the financial impact? For the properly insured official, probably not much.
NASO members receive as a benefit insurance coverage of $3 million per occurrence and $4 million aggregate for liability claims resulting from bodily or personal injury or property damage. For information, visit www.naso.org.
State high school associations and other officials organizations also may provide insurance coverage.
Typical insurance policies will pay the cost to defend against covered claims, including all attorney fees. Insurance policies do not compensate for the time away from work spent in defending a lawsuit, or the worry or aggravation.
Officials should be aware of their insurance coverage and whom they should contact when potential claims arise.

Written by Jim Dworman, a business lawyer and high school basketball official from West Bloomfield, Mich. This article is intended for informational purposes and is not legal advice.