

Romance at the Office

Many companies are concerned that the encouragement of office romances creates a potential legal problem, especially if the relationship breaks up and the resulting hard feelings lead to charges such as sexual harassment. But before the situation goes that far, there are fundamental ethical issues that arise: One company describes them in its Business Conduct Statement as actual or apparent favoritism; conflict of interest or sexual harassment; or potential negative impact on others in the work environment.

Another way to express it is that in a workplace where proper business practices have been established and where the culture of the company expects ethical practices, fairness and openness is pivotal to the success of the business, be it large or small. The establishment of a romantic relationship between a manager and a subordinate destroys all that an ethical company has worked for and cannot be condoned.

Still, it is well known that consenting romantic or sexual relationships may develop between a manager and a subordinate. What should the employer expect under those circumstances? That the two stay apart until they divorce their spouses? That they make a public announcement that sounds like “Ladies and Gentlemen. We are having an affair. It is none of your business. We are handling it. Mind your own business.”

Well, that is not likely to work. One company we know has this simple requirement, which is not foolproof but does offer a way out for everyone. Here is the statement that appears in its Business Conduct Statement:

X Company recognizes that consenting romantic or sexual relationships may develop between a manager and a subordinate. These relationships frequently lead to complications for the parties involved as well as others in the workplace. That is why, if a consenting romantic or sexual relationship develops between a subordinate and someone senior to him or her, X Company requires the more senior person to disclose this information to the company’s Human Resources Department.

The beauty of such a statement is that it addresses the subject in a straightforward way, and seems to put the burdens where they should be. However, it leaves open exactly what is meant by a “romantic or sexual relationship.” This is not the place to try to define what is meant, either. A peck on the cheek? An assertion of great love after a night of partying? An occasional tryst?

Or is this one of those occasions where anyone ought to be able to tell when a relationship has gone beyond something casual and needs to be disclosed.

And what is the HR person to do? Give a warning? Issue a threat?

In the end, common sense has to prevail. In a company where ethics are valued, the more senior person will do well to find a way to remove this problem from the eyes and ears of others. He should not put his job on the line and he should get the problem out of everyone’s sight.

If he does not, and if the company’s ethical culture is strong, he runs the risk of having someone blow the whistle on him. Then some action has to be taken, and it is not likely to be pleasant for either party or for the company.

The message? No one is perfect. Very able people find themselves in relationships that they never intended. Everyone needs to find a way to place the daytime needs of the company first and to find a way to separate themselves from those issues that destroy the trust they have earned and are at a risk of losing.