

In the workplace environment, does love conquer all?

It has taken you years of lousy dates and dead-end relationships, but you finally found him. Mr. Right. He's intelligent, good looking, kind, responsible, gentle and, best of all, he loves you too. The only problem is that he's also in your department at work.

Both of you have done your best to keep it a secret, but it's just a matter of time before someone sees you together outside of work. What should you do? When does your personal business become the company's business?

Conflicts of interest like this one are very common as our personal lives continually intersect with our professional lives. Such conflicts of interest can force conscientious employees to face some rather gut-wrenching decisions. I experienced this firsthand several years ago when I was offered an opportunity to interview for a very exciting job at a large, successful, multinational company while I was still working in the law department of another employer. Days after I had agreed upon arrangements for the interview, my boss told me that we were entering into talks with that company to sell them one of our businesses and that I was to participate on the company's negotiating team.

After a few sleepless nights, I came to the conclusion that I had only three ethical options:

1. Turn down the interview for my dream job;
2. Tell my boss that I could not participate on the company's negotiating team for reasons that I did not wish to disclose; or
3. Tell my boss about my plans to interview with the other company and let him decide whether it would still be appropriate



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ate for me to represent the company's interests in the transaction.

Because I was really interested in the job and could not reasonably turn down the assignment to participate on our company's negotiating team, I ultimately chose option 3. As you might imagine, the meeting with my boss was a bit nerve-racking. I walked into his office, closed the door, sat down in a chair in front of his desk and said, "John, I have to tell you something that I don't want to. I will be interviewing for a job with the company that we will be selling our business to. I think I can still zealously represent our company's interests in the transaction, but you obviously need to decide whether you are comfortable with me doing so, given the potential conflict of interest I may have."

Thankfully, my boss was very understanding and he ultimately did not fire me on the spot for evidencing disloyalty to the company. Instead, after we talked it over, he agreed that I could represent our company's interests in the transaction. This may seem like an unlikely conclusion, but the reason we both felt the conflict of interest was tolerable was because the company we were going to do the transaction with was a very large multinational and I was seeking a job in a different divi-

sion of the company from the one that we were selling the business to. Although I had reached this conclusion on my own, in the circumstances, it was not my decision to make but the company's decision. That's the reason I needed to pursue one of the three options outlined above.

I did interview for the job and I did represent my company in the sale of one of our businesses to my would-be employer, but I didn't get the job. However, about a year later my boss nominated me to be our company's first vice president of business ethics and compliance, due in part to the impression I made on him by the way I managed the conflict of interest I disclosed to him.

Employers have a responsibility to work with their employees to resolve conflicts of interest.

But enough about me and my past ethical dilemmas. What about our lovers? What should they do?

The answer depends upon a number of factors such as the nature of their department (big, small, same or different location), their company's policies and, most importantly, the potential impact their relationship as a couple could have on the team's performance. If they're in a small department at the same location and knowledge of their relationship would likely have a negative impact on team performance, our two lovebirds face the same kinds of difficult ethical choices that I did. They should do one of three things:

1. Call the whole thing off for the good

of the company;

2. One of the two could quit the company or ask for a transfer to a different department without disclosing the reason; or

3. Disclose the relationship to their boss and determine whether the company can tolerate them continuing to work in the same department or whether certain changes might be made to find a win-win solution.

None of these choices is particularly attractive, but doing nothing in the circumstances would not be fair to their co-workers or their employer if their special relationship is likely to hurt team performance. However, good employers will work with their employees to resolve such conflicts of interest when they arise. In this case that would mean working with the couple to find a way for love to at least survive, if not conquer all. If you suspect that this is not the case where you work, then you may be working for the wrong kind of outfit.

Just as employees have an obligation to disclose certain conflicts of interest that arise between their job responsibilities and their personal lives, employers have a responsibility to work with their employees to find practical resolutions to such conflicts. In so doing, both employers and employees, like the love-struck couple mentioned in this fable, can live happily ever after.

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