CONSENSUAL RELATIONSHIPS A013

11/01/2002

PURPOSE

To provide guidelines for effectively managing consensual relationships within the workplace to minimize conflicts of interest and establish appropriate reporting of such relationships.

Consensual relationships give the appearance of a compromising conflict of interest, favoritism, or bias in the workplace, which may be prejudicial to the interests of the University, its members, and the public interest it serves. In order to ensure that the supervision and evaluation of subordinates is conducted fairly and without perception of favoritism or bias, consensual relationships that may raise such problems are discouraged and prohibited and must be addressed in accordance with the terms of this policy.

DEFINITIONS

Supervisor

An employee who supervises or manages another employee, or otherwise acts in a decision making capacity regarding the terms, conditions, or privileges of another person’s employment.

Subordinate Employee

An employee, including a student working in a work-study program, is a subordinate employee to those individuals who meet the conditions referenced above.

The terms referenced above are relational; the same person can be a supervisor in his/her relationship with some individuals and simultaneously a subordinate employee in his/her relationship with others.

Consensual Relationships

A relationship where the parties are romantically or sexually intimate, or are involved in a relationship in which sexual intimacies would ordinarily be presumed.

POLICY

Employees have a responsibility to avoid any apparent or actual conflict of interest between their professional responsibilities and their personal interests in their relationships with those whom they supervise, evaluate or over whom they exercise power or authority. In order to ensure that the supervision and evaluation of subordinates is conducted fairly and without perception of favoritism or bias, consensual relationships that may raise such problems are discouraged and prohibited as outlined in this policy.

Consensual relationships may have both legal and ethical implications both for those engaging in such behavior and the University. Examples of potentially disruptive outcomes include increased risk of hostile work environment or other sexual harassment claims, disparate treatment, unjust evaluations, and an increased potential for workplace conflict, disruptive behavior, confrontations and violence.

All supervisors must maintain complete professionalism and shall not allow the existence of a consensual relationship to affect workplace decisions concerning his or her subordinate employee or other employees. The existence or termination of any consensual relationship shall not be the basis for any employment decisions by the supervisor. Relationships between a supervisor and a subordinate are strongly discouraged and should not occur while
the supervisory employment status is in effect. If a supervisor enters into or engages in a consensual relationship with a subordinate employee, the supervisor is to notify his or her supervisor, or the Director of Human Resources immediately regarding the existence of the relationship so that any conflict of interest may be addressed. Information pertaining to a case is to be treated in a confidential manner to the extent possible and appropriate to the circumstances.

**PROCEDURE**

1. A supervisor who enters into or engages in a consensual relationship with a subordinate employee will be expected to inform his or her immediate supervisor or the Director of Human Resources immediately in order to develop a plan to avoid a conflict of interest. Steps will be taken to eliminate this conflict. This may include transferring the supervisor or subordinate. These steps should be taken in a way that does not disadvantage the subordinate. Failure to notify can result in appropriate disciplinary measures, up to and including dismissal of the supervisor. Refer to policy B-070 or B-025, Professional Conduct/Performance.

2. Employees who believe that their employment status is or could be adversely affected by a potential or actual conflict of interest deriving from the existence of a consensual relationship should notify their supervisor or department head, the appropriate Vice President, or the Director of Human Resources of the expressed concern. The Director of Human Resources will take appropriate action to resolve the matter.

**Related Policies:**

- Sexual Harassment Policy B105
- Employment of Relatives Policy B020
- Disciplinary/Professional Conduct Policy B070