

WORKPLACE CONSENSUAL RELATIONSHIPS

I. Purpose

To determine when consensual relationships at the College are prohibited; when consensual relationships must be disclosed; and the necessary steps that must be taken to address such issues.

II. Scope

This policy applies to all College employees, including temporary, interim, and specialized professional services employees, and volunteers. This policy also applies to independent contractors who have a direct supervisory relationship with any College employees or students.

III. General

Consensual romantic, intimate, and/or physical relationships between a supervisor and an employee or between employees and students of the College may result in claims of sexual harassment, even when both parties appear to have consented to a romantic, intimate, and/or sexual relationship.

The power differential inherent in such relationships may compromise the subordinate's free choice. When those in authority abuse or appear to abuse their power in a relationship, trust, and respect in the college community are diminished.

Due to the potential for perceived or actual conflicts, such as favoritism, abuse of power, or personal conflicts from outside the College environment, which can be carried into the daily relationships, employees and students must follow this policy.

Below is a non-exhaustive list of examples where consensual relationships are prohibited:

Employee relationships with students

- 1) Employees must maintain professional relationships with students over whom they have any responsibility including, teaching, counseling, advising, coaching, or supervision.
- 2) Even if both parties consent, or appear to have consented to a romantic, intimate, and/or sexual relationship, such relationships are prohibited.

Employee relationships with other Employees

- 1) Supervisors must maintain professional relationships with employees in their direct supervision, indirect supervision, reporting chain, and where implied authority exists.
- 2) Employees that have influence over others due to their roles which require them to facilitate meetings, lead committees, provide training, schedule courses, oversee selection committees, and participate in peer review committees must also maintain professional relationships with employees over whom they have influence or implied authority.

- 3) Even if both parties consent, or appear to have consented to a romantic, intimate, and/or sexual relationship, such relationships are prohibited.

A. Definitions

- 1) Consensual romantic, intimate, and/or sexual relationship: One entered willingly by both parties, free of any coercion that is one of an intimate, romantic, or sexual nature.
- 2) Direct or Indirect Supervision, Authority, or Influence (hereafter referred to as “supervisor” for purposes of this policy): A direct line of authority no matter how far removed (an employee who reports to a Supervisor who reports to a Director who reports to the Vice President is in a direct line of authority to the Vice President). A person who has indirect supervision, authority, or influence to make or recommend decisions or actions is someone who, while not a Direct Supervisor, has authority or influence over the hiring and supervision and other terms and conditions of employment. For example, someone in Human Resources who may have an impact on job evaluations, compensation and benefit adjustments, investigations, or discipline. Another example is someone who makes class scheduling assignments.

In all cases in which a romantic, intimate, and/or sexual relationship exists or develops between employees wherein a supervisor-subordinate, or employee-student relationship as defined by this policy exists, it is the obligation of the supervising employee or employee providing student services to disclose the relationship immediately to Human Resources, in writing, to allow the College to determine how to mitigate concerns of impropriety or conflict of interest. Upon receipt of the written disclosure, the College will determine the best course of action to avoid or eliminate the conflict of interest. This will most often consist of making alternative arrangements for supervision of the subordinate or education of the student. Employees who immediately disclose relationships in conformance with this policy will not be subject to discipline based on the existence of a consensual relationship.

Employees who believe they are treated or evaluated unfairly because of such a relationship may also file a complaint with Human Resources

Students may contact the Student Compliance Office if they think a violation of this policy has occurred.

All employees are reminded of their responsibilities under the following:

- *Employment of Relatives Policy*
- *Prohibited Sex or Gender-Based Discrimination, Harassment, and Sexual Misconduct Policy*
- Standard Operating Procedure, *Interactions with Enrolled Relatives*

IV. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the Executive Director of Human Resources or designee.

Adopted: February 16, 2010
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