

# What's Love Got To Do With a Contract? The Role of 'Love Contracts' in the Workplace

Publication

2.15.08

Can a so-called "love contract" between an executive and a peer or subordinate employee who willingly enter into a romantic relationship save an employer from liability for harassment and retaliation claims, disastrous adverse publicity, untold workplace disruption, and attorneys' fees? The answer is maybe - in the right cases and assuming that the employer sensitively and selectively uses such written agreements together with meaningful enforcement of good no-harassment / no-retaliation and conflicts of interest policies.

What most employers really accomplish when they use such documents is to obtain the parties' written confirmation that the romantic relationship they have is completely voluntary on the part of both of them and that they understand and know how to use employer policies that are designed to avoid the parade of horrible consequences outlined above. As such, a better name for such a written agreement may be a "Declaration Affirming Nature of Personal Relationship and Understanding of Responsibilities" to memorialize the nature of their relationship - that it is welcome and uncoerced - and their understanding of their responsibilities to each other, to other employees, and to the employer.

This article appeared in the February 15, 2008 issue of BNA's *Workplace Law Report* (see PDF below for full text), and the May 31, 2008 *CCH Online*.

## Attachments

16499\_Whats Love Got to Do With a Contract

## Related People





**Ann Margaret Pointer**

Senior Counsel

404.240.4223

Email