

BOSS'S AFFAIR WITH WORKER CAN JEOPARDIZE A COMPANY

Publication
Oct 13, 2009

David Letterman is a great comedian and talk show host. He's been one of the kings of late night for years. But his recent announcement that he has had affairs with several of his female employees suggests that he's a better entertainer than executive. A smart boss would not have found himself in the kind of sexual scandal that Letterman was mired in last week.

What's wrong with what happened at Worldwide Pants, Letterman's production company? From the perspective of a labor and employment lawyer, it's hard to even know where to start. According to a company spokesman, Worldwide Pants had no policy that prohibited intimate relationships between supervisors and subordinates. Letterman wasn't actually violating his company's policy by sleeping with many of his female employees. That doesn't mean that his behavior was acceptable — just that the policy was inadequate. Many companies will allow co-employees to date, but they draw the line at supervisor-employee relationships ... for good reason.

Lawsuits can make private relationships very public even when no sports or entertainment celebrity is involved. Companies hoping to avoid the same kind of mess should:

- Train all managers and supervisors to avoid harassment of any kind, not just sexual. Make it clear that this is very important to the company and that deviation from company policy will not be tolerated.
- Make sure employees understand that, if they feel they are being unduly pressured, they can go to the human

Related People



Stephen J. Roppolo

Partner

[713.292.5601](tel:713.292.5601)

resources department or to other managers for help.

- Adopt well-written and well-publicized policies prohibiting harassment. But it is not enough to put a policy in writing; it needs to be enforced. Managers should be vigilant about any activity that seems to violate company policy.
- All complaints should be taken seriously and thoroughly investigated.
- If it appears that a violation may have indeed occurred, the company should take immediate action while protecting the rights of both the complaining employee and the alleged harasser.

David Letterman may survive to joke another day, but the CEO of XYZ Company may not be so lucky.

This article appeared in the October 13, 2009 issue of [*The Houston Chronicle*](#).