Do Love Contracts At Work Make Sense? Documenting Voluntary Employee Romances

Publication
11.05.09

"Love contract," is the common phrase that refers to a written confirmation that two employees' romantic relationship is voluntary, and that they both understand and know how to use employer policies that deal with harassment in the workplace.

Many companies expressly forbid managerial level employees from dating or having other close personal relationships with peers and subordinate employees that might lead to sexual harassment claims, conflicts of interest, or potentially clouded judgment. No manager should have trouble choosing between the interests of the organization and the interests of the person with whom the manager has a personal relationship.

Why do some employers now officially allow disclosed, but "regulated" dating relationships between managers and subordinate-level employees, who they do not directly supervise? At least a partial answer is that multiple surveys show that many employees do find love at the workplace. Often managerial level employees eventually know about, and end up condoning, some of these relationships, regardless of what official policies say about the subject.

Inconsistently enforced policies against dating and close personal relationships, may lead to employees being able to claim that they entered into a relationship based on observed cases of other employees having done so. Employers are legitimately concerned about being held liable if a romance sours and one party claims they could not end the relationship without fear of on-the-job harassment, retaliation, and other adverse employment actions by the jilted former love interest.

This article appeared in the November 5, 2009 issue of *San Diego News Network*.

Copyright © 2024 Fisher Phillips LLP. All Rights Reserved.