



Romance Is In The Air – And The Office

Office romance is more common than many might think (or admit). According to Vault, Inc.'s 2006 Office Romance Survey, 58% of respondents said they have had an office romance and 9% said they have not but would be willing to. 38% said they had received unwanted sexual advances from a coworker. People who work together naturally develop all kinds of attachments (witness the rise of the "work spouse" -- an often intimate but non-sexual relationship -- 32% of respondents said they had one). But they can create complications that detract from the working environment, not to mention generate lawsuits.

Many HR experts feel it is futile to ban office romances outright. Such a policy might only succeed in driving relationships underground. Most office romances are not conducted openly, and many knowingly contravene company policy. A blunt edict is unlikely to overcome human nature.

Instead of banning relationships, some employers try to regulate them. Couples are required to disclose their relationship and sign acknowledgments, referred to in the literature as "love contracts," attesting that their relationship is voluntary and non-harassing, and that they will not sue the company if things go south. While in fashion for the moment, the effectiveness of this approach is open to serious doubt. Many employees presumably will not come forward, and making employees sign a document when a relationship is going well is unlikely to protect a company sufficiently in less friendly circumstances.

To further complicate matters, should an office romance result in marriage (and the Vault survey found that 22% of respondents found "long term love" in their office relationships, which may or may not mean marriage), many jurisdictions prohibit discrimination against an employee based on marital status. This calls into question policies, common in the past, forbidding married employees from working in the same division, reporting to each-other, etc.

Aside from the legal concerns, employers have to deal with practical considerations. When a relationship breaks up and the employees can't stand each-other, or when a relationship is going strong but interfering with a supervisor's objectivity (a significant percentage of Vault survey respondents reported dating inferiors), who has to transfer or resign (hint -- it should not always be the woman)? Some organizations try to address this by providing by policy that the person with the least seniority is the one that has to move. But what if that is your up-and-coming star performer? What if there is nowhere to move them to?

A company also must wrestle with ethical issues. To what degree is it entitled and willing to pry into or regulate employees' private lives? Is the potential for lawsuits, which is very significant especially in supervisor-subordinate relationships, justification to dictate who can date who? Should the company only get involved if it is clear that work is implicated? What would the company do if it found someone violated its policy, and would that answer depend on who that someone was (after all, many small businesses are run by husband-wife teams)?

There is no universal formula for resolving the challenges posed by office romances. A company must consider its legal environment, its organizational structure, its culture, and its values. Of course best practices should be followed, including training employees thoroughly on sexual harassment policies and prevention, and making sure the organization follows through when there is a complaint. Perhaps most importantly, a company must be realistic about what it can, and should, expect from its employees.