**RELATIONSHIPS WITHIN THE WORKPLACE**

Many employers are concerned about inappropriate relationships within a company's workforce. The extent to which an employer may legitimately respond to what it determines is inappropriate behavior between employees in terms of interpersonal relationships is really dependent upon the employer's policy. The answer, at least in the area of employment law, is that while an employer should not necessarily try to limit any and all on- or off-duty contact or relationships between employees, it may certainly impose reasonable limits on any such relationships or conduct when the conduct threatens work relationships, jeopardizes work flow, or harms the employer's reputation among its customers or in the community at large. An example of a policy that an employer might adopt with such concerns in mind could be something like the following:

**Policy Regarding Interpersonal Relationships and Fraternization**

While XYZ Company encourages a collegial and supportive atmosphere at work for its employees, interpersonal relationships between employees may become a concern if they have the effect of impairing the work of any employee; harassing, demeaning, or creating a hostile working environment for any employee; disrupting the smooth and orderly flow of work within the office; or harming the goodwill and reputation of the company among its customers or in the community at large. For this reason, XYZ Company reminds its employees that the following guidelines apply in their relations with other employees, both on and off duty:

1. A supervisor should not engage in any form of relationship with a subordinate employee that could potentially have the appearance of creating or promoting favoritism or special treatment for the subordinate employee. In the event of such a relationship, the employees involved will be given the opportunity to choose which of them will be reassigned to an alternative position where favoritism or special treatment will not be an issue, or one or both employees may be subject to dismissal, depending upon the nature of the situation. All employees, especially managers, are reminded that the qualities of good judgment, discretion, and compliance with guidelines are all taken into account when considering future advancement opportunities and salary increases.

1. If a relationship or social activity between two or more employees:
	1. has the potential or effect of involving the employees, their coworkers, or the company in any kind of dispute or conflict with other employees or third parties;
	2. interferes with the work of any employee;
	3. creates a harassing, demeaning, or hostile working environment for any employee;
	4. disrupts the smooth and orderly flow of work within the office, or the delivery of services to the company's clients or customers;
	5. harms the goodwill and reputation of the company among its customers or in the community at large; or
	6. tends to place in doubt the reliability, trustworthiness, or sound judgment of the persons involved in the relationship,

the employee(s) responsible for such problems will be subject to counseling and/or disciplinary action, up to and potentially including termination of employment, depending upon the circumstances.

1. No employee may use company equipment or facilities for furtherance of non-work-related activities or relationships without the express advance permission of [designated member of management].

1. Employees who conduct themselves in such a way that their actions and relationships with each other become the object of gossip among others in the office, or cause unfavorable publicity in the community, should be concerned that their conduct may be inconsistent with one or more of the above guidelines. In such a situation, the employees involved should request guidance from [designated member of management] to discuss the possibility of a resolution that would avoid such problems. Depending upon the circumstances, failure to seek such guidance may be considered evidence of intent to conceal a violation of the policy and to hinder an investigation into the matter.

Friendships and social contacts between employees are not a matter of concern as long as they are consistent with the above guidelines. Employees may address any questions on this policy to [designated member of management].

*Disclaimer*: This is only a sample policy and does not constitute an official policy or recommendation of the TWC or the State of Texas. As is the case with any of the sample policies and employment forms found in this book, it is best to have such a policy reviewed by an employment law attorney of your choice who can consider all of the factors and aspects of the situation and determine whether the policy meets your company's needs.

If your company adopts such a policy, all employees should sign for copies of the policy and be trained in what it means. The best way to do that would be to hold a mandatory staff meeting, distribute an agenda to all employees in which discussion of the policy appears as an action item, have all employees sign an attendance roster, hand out copies of the new policy, discuss it, hold a question-and-answer session with everyone present, pass out copies of acknowledgement of receipt of policy forms for everyone to sign specifying the policy received, collect the signed forms, adjourn the meeting, and distribute copies of the minutes of the meeting in which the action items accomplished at the meeting are set forth with specificity.