GUIDELINES REGARDING CONSENSUAL AMOROUS RELATIONSHIPS

Provided by UMass Medical School
Equal Opportunity Office

INTRODUCTION

UMass Medical School (UMMS) strives to provide a friendly, supportive work and learning atmosphere for its employees and students. As well, it must promote an environment where all work/academic decisions are made professionally and fairly, unencumbered by the effect of personal relationships. Nevertheless, in any work or academic setting, it is possible – even likely – that consensual romantic relationships will develop. UMMS recognizes this potential, particularly in an academic health care milieu where individuals work closely together in circumstances that are frequently demanding and complex.

There are certain potential risks inherent in all workplace romantic relationships between individuals in unequal positions within the institution, such as supervisor/employee or faculty member/student. Such relationships may compromise or be perceived as compromising the fairness and impartiality of a supervisor’s/faculty member’s conduct toward the subordinate or to others in subordinate positions. Further, there is potential impact on the work environment and potential damage to the supervisory individual’s own credibility and standing, within the department and within the organization as a whole.

Given the power imbalance between the two individuals, the relationship may in fact be far less voluntary for the subordinate than it appears to the supervisory individual. Also, circumstances may change, and conduct that was previously welcomed by the subordinate party may in fact become unwanted and unwelcome. Initial consent of both parties to the relationship may not prevent later charges of sexual harassment by the subordinate. Legally, the supervisory individual and the organization could be challenged if a consensual amorous relationship results in allegations of hostile work environment by the subordinate or by any others in the department who feel they themselves have been treated unfairly as a result of the relationship.
In view of these considerations, academic and corporate institutions and organizations across the country are issuing policies or guidelines regarding consensual amorous relationships. For purposes of these guidelines for UMMS, the term “consensual amorous relationships” covers existing marriages and/or domestic partnerships, in addition to relationships that may develop. The following guidelines apply to UMMS employees and students.

**EMPLOYEES**

- UMMS does not intend, in any way, to abridge the constitutionally protected right of freedom of association. However, it *strongly discourages* a consensual amorous relationship between manager/supervisor and subordinate in which there is a direct line of reporting, indirect authority, or the clearly perceived authority of one individual over the other.

- In view of the potential serious risks for a supervisor involved in a consensual amorous relationship with a subordinate – and for the organization, as well – the supervisor is *strongly encouraged* to inform the manager of the department, or to consult with the Equal Opportunity Office or the Human Resources Department. Similarly, a faculty or staff member romantically involved with a resident, post-doc or fellow – or any staff member in a subordinate reporting position – is strongly encouraged to inform his/her chair, department head or dean. While the individual may also elect to consult with the Office of Faculty Administration, the vice chancellor for Research or the Human Resources Department, s/he must inform the Equal Opportunity Office.

- Once informed of a consensual romantic relationship between supervisor and subordinate, the department head/chair, in consultation with the Equal Opportunity Office, will attempt to make arrangements – acceptable to supervisor and subordinate – so that there is no further direct line of reporting authority between the two parties. If the resolution proposes that the subordinate transfer to another department, such a move can occur only if it is strictly voluntary on the part of the subordinate.

If the supervisor chooses to continue the consensual relationship and not come forward, s/he runs the risk of the subordinate – or another member of the department – later filing a sexual harassment/discrimination complaint. If the complaint is found to have merit through UMMS’s
investigation process, the supervisor faces the potential of strong discipline, up to and including termination.

**STUDENTS**

School of Medicine

Graduate School of Biomedical Sciences

Graduate School of Nursing

- A UMMS faculty member should not date, or have a romantic relationship with, a student over whom s/he has a direct or indirect teaching/advisory/mentoring/evaluative responsibility, or over whom there may be a perception of such responsibility.

- A faculty member with questions/concerns should consult promptly with his/her department chair, or may choose to consult with other individuals such as his/her dean, the vice chancellor for Faculty Administration, the vice chancellor for Research, or the Equal Opportunity Office. A student with concerns should consult with his/her dean, advisor or the Equal Opportunity Office.

- The dean (or designee) will recommend a resolution in consultation with EOO.

Managers/supervisors and employees, as well as students and faculty, are encouraged to contact the Equal Opportunity Office (H1-728 or call 508-856-2179) with any questions about these guidelines.

February 1999