

Workplace often ignites romance, survey finds

By Alana Roberts / STAFF WRITER

One pair of Las Vegas law school professors is thankful for workplaces that allow relationships between co-workers.

For Ann McGinley and Jeffrey Stempel, professors of law at the William S. Boyd School of Law at UNLV and a married couple for 20 years, their past three jobs have been a package deal.

McGinley said she met Stempel at work in Philadelphia as the two clerked for different federal judges in the same building. She and Stempel also worked together as law faculty at Brooklyn Law School and at the Florida State University College of Law.

She said at every job where she and Stempel have worked together the staff and management have accepted their relationship.

McGinley said work is a common place for people to find their mates.

"We're spending more and more time at work and it's natural that people are going to meet people at work and end up dating," she said.

A recently released survey of workers and human resource professionals by the Society for Human Resource Management and CareerJournal.com indicates that

McGinley and Stempel are not alone. The survey shows that 40 percent of employees have dated a co-worker.

The survey questioned 493 human resource professionals who are SHRM members and 408 employees who were visitors to CareerJournal.com.

McGinley, who teaches employment law, said dating in the workplace shouldn't be thought of as inherently problematic by employers.

But some human resource professionals in the survey indicated that workplace dating can lead to problems like complaints

about favoritism or sexual harassment.

On the other hand, 62 percent of the human resources workers said they have seen the office romances end in marriage.

Local labor lawyers agree that when workers date each other employers potentially face a variety of problems.

"It's very difficult for a company to expect employees to never date others in the workplace, because most people have met their significant other or their spouse through some sort of work relationship," said Mark Ricciardi, managing partner for the Las Vegas office of Fisher & Phillips. "What I think companies can do and what several do is to discourage dating between supervisors and subordinates. The reason for that is because there's a power structure there and when a supervisor and a subordinate are dating it can become tricky."

The survey indicates 72 percent of human resource professionals who answered the survey say their organizations don't have a policy addressing workplace dating. But of the minority of firms that do have a policy, about two-thirds of the companies permit the relationships but discourage them.

Another 25 percent of the firms with policies allow the relationships while only 9 percent don't permit workplace dating.

Meanwhile, 80 percent of the surveyed human resource professionals said supervisors and subordinates are not or should not be allowed to date within their organizations, and 60 percent of employees said the same thing.

McGinley agreed that direct supervisors and subordinates should not date, but if they do that disciplinary power should be transferred away from the supervisor in the relationship. She added that she and her husband have never been in a direct

supervisor/subordinate situation and that they discuss work issues carefully when away from work.

"I can't say we don't discuss work," she said. "Let's say we're going to vote on a (faculty) candidate, we might talk about the candidate, we might discuss where we're leaning but we would never reach a decision until we get to the meeting."

Ricciardi said some employers try to reduce their legal risks by imposing consensual agreements or love contracts on their employees. He said sometimes companies will also require employees to notify them when the relationship ends.

"Some companies use what are called love contracts, a written document both parties sign saying they have a relationship and saying it's entirely consensual," he said. "I've never felt it was the best way to handle it. When you take romantic relationships and try to govern it in writing and protect the company that way, I think it's very awkward."

Patrick Hicks, managing shareholder of the Las Vegas office of Littler Mendelson, said such agreements are not always enforceable.

"They have limited utility," he said. "If somebody wants to challenge one they'll say, 'I was in the relationship and I felt I was being coerced into signing it.' To me it's a much better solution to say supervisors can't date subordinates, then you don't need a love contract."

Consensual agreement statements

weren't really popular among human resource professionals or employees who responded to the survey. About 10 percent of human resource professionals said employees should be made to sign a consensual agreement statement, while 9 percent of employees agreed.

Workplace romance

A recent survey by the Society for Human Resource Management and CareerJournal.com indicates the majority of employees don't have policies preventing employees from dating other employees. The survey was sent by e-mail and garnered responses from 493 human resource professionals who are SHRM members and 408 employees who visit CareerJournal.com.

- 40 percent of employees queried said they are or have been involved in a workplace romance
- 72 percent of human resource professionals said their organizations have no policy addressing workplace romance
- 18 percent said they have a written policy
- 7 percent said they have a verbal policy
- Of those human resource professionals who said their organizations have workplace dating policies, 9 percent said their organizations prohibit dating
 - 25 percent permit workplace dating
 - 66 percent permit but discourage workplace dating

Source: *The Society for Human Resource Management and CareerJournal.com.*

Jen Jorgensen, a SHRM spokeswoman, said employers generally try to balance their responsibility to ensure the workplace is fair while respecting their workers' privacy.

"It's not uncommon that romantic relationships do happen in the workplace," she said. "If that is the case the only way the employer wants to be involved is to make sure those involved are treated fairly and those coworkers working with the people involved are treated fairly."

Local employers say they're careful in the policies they have in place.

LaDawndre Stinson, human resource manager for Steiner Spa Resorts Nevada, said the company doesn't have a policy prohibiting dating, but that there is a policy preventing a supervisor from managing a relative, spouse or significant other. Stinson is also the secretary of the Southern Nevada Human Resource Association.

"What we do have is a nepotism policy that was implemented," she said. "If you are dating, married, are a mother or child you can not supervise them. We just don't want it to interrupt the workflow or guest care, but more importantly we don't want the perception that employees have some advantage over other employees."

Pat Marvel, director of marketing for the Las Vegas-Clark County Library District, said the organization also has a policy that prevents spouses, relatives, significant others or those who live together from working in the same branch or work location or from supervising one another, with few exceptions.

McGinley said one way for couples to head off negative perceptions such as favoritism is to address them directly.

"One thing that is important for employees who are working with their spouse or someone they're dating to make really clear to everyone else is you're not getting together and ganging up on other people or making decisions before meetings because it creates concern," she said.

Alana Roberts covers courts and labor relations for *In Business Las Vegas* and its sister publication, the *Las Vegas Sun*.