

UCR Policies and Procedures

Policy Title: Consensual Intimate (Sexual or Romantic) Relationships in the Workplace

Policy Number:

Responsible Officer:	Associate Vice Chancellor Human Resources
Responsible Office:	Human Resources
Origination Date:	10/11/2017
Date of Revision:	11/8/17
Date of Last Review:	10/16/2017
Scope:	Prevention of Real or Apparent Conflict of Interest arising from Consensual Relationships

I. Policy Summary

UCR is committed to maintaining a workplace (including associated teaching, research, working and athletic environments) free from conflicts of interest, favoritism, and exploitation. This policy addresses romantic relationships and/or sexual interactions that, although consensual, may create actual and perceived conflicts of interests, and create the possibility for exploitation or favoritism. The University recognizes that consenting individuals associated with the University are free to enter into personal relationships of their choice. At the same time, consensual romantic, physically intimate or sexual relationships between peers or where there is a power differential between the two parties may create actual or perceived conflicts of interest, exploitation, favoritism or bias. In order to protect the integrity of workplace and educational supervision and evaluation, UCR will institute appropriate measures when such intimate relationships develop.

II. Overview

Consensual intimate relationships between peers (e.g., two faculty members or two staff employees) where the behavior introduces a sexual, physically intimate or romantic element into the workplace or educational setting may result in a hostile environment for others. Additionally, consensual intimate relationships where there is a power differential between the parties may introduce the potential for exploitation, favoritism, harassment, or bias into the workplace or classroom as well. Intimate relationships may pose a potential or real conflict of interest when one person has the ability to grade, evaluate, oversee, supervise, advance, promote, recommend, advise, or otherwise influence the employment or academic status of the other individual.

Examples of consensual intimate relationships subject to this policy include, but are not limited to, relationships -

- (1) between an individual in a supervisory position (meaning any person in a position of direct authority over another -- including to evaluate or oversee task performance) and a subordinate employee (meaning any person working under the supervisor);

(2) between employee and student (where there is an instructional, coaching, mentoring, advisory, or employment relationship between them);

(3) between employee and client or vendor. Where such relationships involving professional employees, including doctors or other healthcare workers and their clients or between counselors and counselees, are prohibited by state or federal law or by applicable licensing requirements, they are likewise prohibited by UCR policy; and

(4) between an instructor (meaning all who teach at UCR - faculty members and others who have instructional duties, including lecturers, residents and graduate or undergraduate students with teaching, advising, or tutorial responsibilities) and a student (meaning any person studying with or receiving advising from the instructor, including interns).

Consensual relationships involving members of the Academic Senate may also be covered by UC Academic Personnel Manual (APM) 015, Faculty Code of Conduct, which states that it is misconduct to enter "a romantic or sexual relationship with any student for whom a faculty member has, or should reasonably expect to have in the future, academic responsibility (instructional, evaluative, or supervisory)."

III. Policy

It is an inherent conflict of interest for an individual to exercise direct supervisory, oversight, evaluation, instructional, and/or advising responsibilities, or participate in hiring, retention, promotion, award decisions on behalf of UCR, or commitment of University resources, for someone with whom there exists a romantic, physically intimate or sexual relationship. If a relationship subject to this policy exists, the person in the position of greater authority or power must immediately recuse themselves from those activities to ensure that they do not exercise any supervisory or evaluative function over the other person in the relationship. The recusing party must also notify their organizational unit head (e.g. dean or vice chancellor) and Human Resources so that adequate alternative supervisory or evaluative arrangements are put in place. Failure to provide timely notification will be considered a violation of this policy and may result in disciplinary action.

When notified of a consensual relationship, UCR will take effective steps to be taken to ensure that the evaluation, oversight, advising, instruction, and/or supervision of the employee, student, client or vendor is not based on the expectation, existence or termination of a consensual relationship. Such steps could include but are not limited to: arranging for alternative oversight, advising, instruction or evaluation of the employee, student, client or vendor; arranging alternative supervisory structure(s) for the employee, student, client or vendor; recusal by the supervisor from decisions regarding the status of the employee, student, client or vendor; and/or other appropriate measures. Questions, requests for guidance, or concerns regarding this policy may be addressed to UCR Human Resources. Alternatively, complaints, questions or concerns regarding this policy may be addressed to UCR's Title IX Office under the University of California Sexual Violence and Sexual Harassment policy or to the UCR Locally Designated Official under the UCR Whistleblower Policy. Where during the course of their review of a consensual relationship under this policy, UCR's Human Resources personnel or Locally Designated Official personnel are presented with indications of a non-consensual relationship or a hostile work environment, the matter shall be reported to and coordinated with UCR's Title IX Office pursuant to the University of California Sexual Violence and Sexual Harassment policy.

IV. Related Information

University of California Sexual Violence and Sexual Harassment policy - <http://policy.ucop.edu/doc/4000385/SVSH>

UC Academic Personnel Manual (APM) 015, Faculty Code of Conduct -

<http://www.ucop.edu/academic-personnel-programs/ files/apm/apm-015.pdf>

System- wide policy requires disclosure and action when near relatives are appointed. Provisions are included in Personnel Policies for Staff Members 21, Selection and Appointment <http://policy.ucop.edu/doc/4010394/PPSM-21> and in the accompanying local procedure.

V. Applicability

This policy applies to all University employees (including faculty), student employees, students, and affiliates.

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