



## Policy

Title:	Close Personal Relationships at the University
Effective Date:	Reviewed December 1, 2019
Approved By:	President's Council
Responsible Party:	Vice-President for Human Resources and Administrative Services
History:	5/22/96;7/11/16
Related Documents:	Non-Harassment/Non-Discrimination Policy

### I. PURPOSE

Salus University strives to maintain an environment in which members of the University community can work together to further education, research and community service. It is the intention of Salus University that faculty and staff not be involved in decisions affecting either the employment or academic standing of individual members of their immediate or extended families. This policy provides standards for addressing conduct among family members, domestic partners, significant others, and/or others with or in similar personal and consensual relationships.

### II. DEFINITIONS

**Academic Program** for the purpose of this Policy includes all manner of didactic or clinical instruction, grading, evaluation and research, whether occurring on University premises or elsewhere.

**Close Personal Relationship:** For purposes of this policy, means

- a relationship that goes beyond the bounds of a platonic/personal friendship or a working relationship, and includes family relationships, or personal involvement such as dating, romantic relationships, sexual and similar close personal relationships that may be consensually undertaken by both individuals whether or not they are Family Members; or
- a relationship in which one person is financially dependent on another.

The University reserves the right to treat within the scope of this Policy other relationships which pose similar possibilities of actual or perceived Favoritism, as that term is defined below. However, the concept of Close Personal Relationships does not include usual and customary socializing at the University (not involving the conduct defined above), such as:

- interactions between mentor-mentee; supervisor-employee; co-workers, and faculty-student;
- working relationships in furtherance of ordinary collegiate academic collaboration;
- working relationships in furtherance of ordinary professional pursuits.

***Domestic Partner*** for the purpose of this Policy refers to two individuals of the same or opposite sex who meet the criteria as defined in the University's Affirmation of Domestic Partnership status.

***Employment Action*** for the purpose of this Policy is the power to hire, promote, reclassify, supervise, direct, evaluate, compensate, assign work or resources, approve leave requests, give any benefit, discipline or terminate employment, or to effectively recommend any such acts.

***Family Member*** for the purpose of this Policy is defined as all relatives, including but not limited to the following: spouses, relatives by marriage, Domestic Partners, children (including step-children and foster children), parents, step-parents, grandparents, grandchildren, in-laws, siblings (including step-brothers and step-sisters), cousins, nieces, nephews, aunts and uncles.

***Favoritism*** for the purpose of this Policy is defined as the basing of decisions regarding hiring, selection, promotion, wages, hours, other conditions of employment, or academic status on relationship, either in whole or in part, rather than on objective standards and the needs of the University.

***Significant Other*** for the purpose of this Policy includes individuals who are dating or engaged to be married regardless of whether or not they reside together.

### **III. POLICY**

The success of Salus University relies on employees fulfilling their roles and responsibilities with the highest standards of conduct, in good faith and in the best interests of Salus University. Employees must ensure that their interactions and relationships with students, coworkers and other individuals who have dealings with the University are appropriate and conform to the Salus University Code of Conduct and other University policies at all times.

Employees must not allow their personal, financial or other private interests to conflict or appear to conflict with their duties and responsibilities at Salus. Employees in Close Personal Relationships may not work in positions which may result in Favoritism, or the appearance of Favoritism, in the administration of Employment Actions or Academic Programs.

The University considers romantic or sexual relationships between employees who are in a supervisory capacity or position of influence and their direct or indirect subordinates to be a basic violation of professional ethics and responsibility even if such relationships purport to be between mutually consenting adults. The University has the same concerns about such relationships between faculty or instructors with students, even when both the faculty member or instructor and the student purportedly are consenting adults. Because of the asymmetry of these relationships, "consent" may be difficult to assess, may be deemed not possible, and may be construed as coercive. Such relationships also may have the potential to result in claims of sexual

harassment, and are subject not only to this Policy, but also to the University's Non-Harassment/Non-Discrimination Policy. These principles apply regardless of the sexual orientation, marital status, gender or other personal demographics of the individuals involved. Accordingly, the fact that a sexual or romantic relationship may purport to be consensual does not exempt it from the prohibitions and reporting obligations of this Policy.

This Policy does not prevent the development of friendships or romantic relationships between employees and/or between employees and non-employees. The policy does, however, establish boundaries for such relationships in order to avoid actual or perceived Favoritism, whether in the employment or academic context.

### **Employee Relationships**

The University permits the employment of qualified Family Members, Domestic Partners, Significant Others and/or others with a similar personal relationship of or to other University employees as long as such employment does not create actual or reasonably perceived Favoritism, or the reasonable possibility thereof, between such individuals. In accordance with the University's employment policies, the basic criteria for employee selection or promotion are that the candidate possesses appropriate qualifications in terms of education, experience, training and performance, consistent with the University's needs. Relationships by family, marriage, domestic partnership and/or similar personal relationship shall constitute neither an advantage nor a disadvantage to selection, promotion, salary, or other terms or conditions of employment.

### **Relationship to or with a Student**

Just as a supervisor must avoid Favoritism, or the perception of Favoritism, based on relationships with Family Members, Domestic Partners, Significant Others or others with similar personal relationships, so too must faculty and other academic instructors avoid Favoritism, or the perception of Favoritism, based on such relationships in the administration of the University's Academic Programs. Relationships by family, marriage, domestic partnership and/or similar personal relationship shall constitute neither an advantage nor a disadvantage to selection, evaluation or assignment of students.

## **IV. PROCEDURE**

### **Employee Relationships**

- No person shall be employed by, transferred to or promoted into a department or area where a supervisory relationship would exist between Family Members, Domestic Partners, Significant Others and/or others with similar personal relationships. Such relationships exist when either Family Members, Domestic Partners, Significant Others and/or others with similar close personal relationships could have supervisory authority over, or significant input into, the other's performance evaluation, salary, work hours, or other terms or conditions of employment.
- Employees should neither initiate nor participate, directly or indirectly, in Employment Actions involving Family Members, Domestic Partners, Significant Others and/or others with similar personal relationships.

- If two employees become Family Members, Domestic Partners, or Significant Others and/or establish a similar close personal relationship while employed by the University, both may retain their positions, provided one is not under the direct or indirect supervision of the other.
- Staff and faculty may not employ their Family Members, Domestic Partners, Significant Others and/or others with similar close personal relationships whether they are paid from Salus funds or from grants, except in the case of subsidized research projects where such collaboration has been specifically approved by the sponsoring authority.

Both employees involved in a consensual relationship are individually responsible for disclosure of Close Personal Relationships. Nevertheless, a supervisor's failure to report such a relationship will be regarded as a serious lapse in the management of the workplace and is more likely to constitute grounds for disciplinary action, (particularly in cases where bias or harassment has occurred in connection with a benefit that has been withheld or conferred).

Employees who have a Close Personal Relationship must notify the Office of Human Resources or a supervisor other than the one with whom the employee has a relationship about the existence of the relationship. The matter will be treated with appropriate discretion.

Reasonable efforts will be made to resolve the conflict without loss of employment to either employee. However, the University reserves the right to transfer one or both employees, to change reporting relationships in order to remove the supervisory relationship, to discharge one or both employees or to demote one or both employees in order to resolve the conflict. Employees who fail to advise the University of the existence of a Close Personal Relationship as described in this Policy will be subject to discipline, up to and including discharge.

### **Relationship to or with a Student**

- No student shall be enrolled in a course in the University's Academic Program where the faculty member or other instructor responsible for delivering the course material, making assignments, grading or evaluating the student is a Family Member, Domestic Partner, Significant Other and/or other individual with a similar personal relationship with the student.
- Faculty members and other instructors should neither initiate nor participate, directly or indirectly, in decisions involving Family Members, Domestic Partners, Significant Others and/or others with similar personal relationships.

Faculty or other instructors who have a Close Personal Relationship that falls within the parameters of this Policy must notify the Provost about the existence of the relationship. The matter will be treated with appropriate discretion. Reasonable efforts will be made to adjust course assignments, or where that is not possible, to utilize other faculty or instructors with no personal relationship to the student to perform grading, evaluating or other functions administered on an individual (as distinguished from classwide) basis.

Individuals who have questions or are uncertain as to the application of this Policy should speak in confidence with a representative of the Office of Human Resources or the Provost's Office.