

Determine Your Response to Employee Sex In The Workplace



What happens in the bedrooms of your employees may be none of your business but what happens when your employees bring their bedroom activities into the workplace?

Who is having sex in your workplace?

A recent CareerBuilder.ca survey of Canadian workers revealed that 34% of Canadian workers have dated a co-worker and 26% married their co-worker romance.

According to a 2013 Glassdoor survey of their readership 41% of 1000 respondents believed that their co-workers have had sex in the workplace although only 12% admit to actually 'making love' in the workplace themselves.

Intrigued by this finding a few months later Business Insider magazine was curious about the Glassdoor findings and conducted a survey of their own. Called the 'Sex-at-work' survey, this survey included responses from 2,500 people and revealed even more revealing results about employee's sexual activities. According to the respondents of the Business Insider just over half (54%) acknowledged having sex with a co-worker and of those who had sex with a co-worker almost half 48% acknowledged having sex IN the workplace (those who did not acknowledge having sex with a colleague were not asked the question about having sex in the workplace). This does imply that as much as 25% of employees are having sexual encounters within the workplace.

Sexual harassment in the workplace is a problem that every organization should be prepared to address with policies and action. But when the sexual activities take place between consenting adults and if there is no in-balance of power to call into question the legitimacy of the consent, the response to the issue of having sex in the workplace is not necessarily clear.

PDA's (Public Displays of Affection) at Work

What happens if your employee's romantic partner shows up in the workplace and a "PDA" results? A hug, a kiss hello or goodbye? Is it okay for your employee to display a little public affection with a romantic partner? If you are going to try to establish a standard of behaviour it is useful to think about why you want to address something to help you determine where to draw the line. The circumstances and context of any situation are always relevant to understanding your potential

response. A PDA at work may be okay in the right circumstances but what happens when that PDA becomes a public or even private sexual encounter?

Policing Employee Workplace Sexual Behaviour

If a workplace sexual encounter occurs in a private office, after working hours with an appropriate person would your response differ compared to a sexual encounter that occurred during working hours in an inappropriate location or with an inappropriate person? Clarifying what is appropriate is not easy but it can help you define your response to a behaviour in the workplace.

In a 2013 incident in Hamilton, Ontario a city employee was fired for having sex on the job. In this instance not only did the employee have sex during working hours but the sex he had was with a prostitute in view of the public. Would your response to this situation differ compared to an employee who had a sexual encounter with a spouse after hours in the workplace?

Employee behaviour is the concern of management because it has the potential to impact on the business financially and impact the company culture. Employee sexual behaviour that occurs in the workplace can have an impact in the following ways:

- Harm to the reputation of the organization
- Impacting the performance of the employee
- Disruptive to the workplace and co-workers

Most people would generally agree that sexual activities in the workplace are usually inappropriate. However, when 10-25% of your employees are doing it, you need to consider how you would respond if and when it is discovered.

As with anything there are many variables in play when determining your response to finding out an employee has been having sex in the workplace. These variables include

- **When the sexual activity occurred** (i.e. during working hours or off hours): An employee who has engages in personal activities during working hours is stealing working time
- **Where it occurred**: an encounter occurring in a private office or in a common or public space or in an inappropriate location such as where food or products are prepared is not using the workplace appropriately
- **With whom it occurred**: an encounter between consenting adults has different implications compared to one with an inappropriate partner (a customer, client, subordinate, underage or non-consenting person); the later is an issue of judgement and maybe criminal activity

With these factors in mind you should be able to craft an appropriate response that is enforceable and justifiable. Remember to focus on the implications and results and not the act itself. You may not be able to ban employee dating or even sex in your workplace but you can establish appropriate expectations and responses when you take the time to understand the variables.