

On Love, Lust and Losing a Job



By Paula Santonocito

Mark Hurd was back in the news recently. Remember Hurd? He was CEO of Hewlett-Packard, the world's largest technology company, until he resigned in connection with a claim of sexual harassment by a female contract employee.

Although an investigation found Hurd not guilty of sexual harassment, his conduct was deemed inappropriate by the HP board of directors. As Hurd himself put it when announcing his resignation, "I realized there were instances in which I did not live up to the standards and principles of trust, respect and integrity that I have espoused at HP and which have guided me throughout my career."

But Hurd's mea culpa wasn't the last word on the matter. It turns out The New York Times obtained and published the "personal & confidential" letter Hurd received from the accuser's law firm. The document provides new insight into what allegedly transpired, as well as new fodder for speculation.

What the incident clearly illustrates, especially in light of the letter, is that when private lives cross the workplace line they are no longer private. Inappropriate behavior can also lead to loss of a job—even if you're CEO.

Cause for Concern

So, what does it all mean for HR?

Research shows that employers are indeed concerned about the possible repercussions of workplace romance, largely because the potential exists for sexual harassment claims and conflict of interest—not to mention an uncomfortable climate if/when a romance ends. Then there's the matter of brand image, which can be seriously damaged by questionable goings-on when word gets out, as it undoubtedly does in today's connected world.

Nevertheless, HR is reluctant to implement workplace dating policies; in fact, approximately 73 percent of organizations have no policy.

Ironically, reluctance stems partly from the human aspect of workplace interaction.

"Good luck trying to legislate romance," says Joan Lloyd, executive coach and organization development strategist. "If HR sets rules about dating, where do they draw the line? And once a policy is drawn up, how do they enforce it, with so many areas of gray?"

Yet, not everything is gray. "There are some boundaries that everyone agrees are a bad situation; namely, a boss dating a subordinate and a sales rep dating a customer, for example," Lloyd tells *HR Insider*.

Going for the Guidelines

Still, without written policies, how does HR manage workplace romance?

Lloyd recommends establishing guidelines, and sharing those guidelines with managers. Such guidelines might warn against manager/employee dating, she says, while also including areas where two people have to work closely together or where their relationship may cause a conflict of interest; for example, the chair of the audit committee of the board dating the finance manager.

However, while HR may establish and share guidelines, HR doesn't necessarily have to assume the role of enforcer.

"In my experience, the HR director acts as an advisor to the senior leadership about what to say to a couple who are dating," Lloyd says. "In an investment company, for example, the president called each person in and explained that their relationship was common knowledge among their peers and was causing speculation about the information they may be exchanging about delicate investment matters. He also was candid about how their relationship affects what people tell them (for fear it could be shared), how it affects their career opportunities (since one of them would have to likely move to a new department, if the relationship continued). The president was matter of fact and didn't demand they stop dating...he just told them the consequences. He also discussed the behavior he expected in the office—as well as what he expected should the relationship end."

Lloyd tells *HR Insider* such an approach tends to be highly effective. "Usually, a candid approach like that puts everything out on the table, ground rules are set, and everyone is relieved," she says.

HR as Enforcer

Before HR professionals assume they are off the hook and breathe a sigh of relief, it's important to note there are times when human resources must take a proactive role.

"HR has to step in when a leader is dating a subordinate because the power dynamics are no longer perceived as being fair. Even if the boss and employee are discrete and professional, word spreads fast. The risk to the organization is too great to stand by and say nothing," Lloyd says.

"Employees will undoubtedly believe that the employee is getting better performance reviews, juicier assignments, more information... And if they break up and the employee believes it will negatively affect career mobility, honest feedback, or assigned work...you've got a mess on your hands."

Lloyd tells *HR Insider* that usually HR takes steps to make one employee move to a new department, or at least move as far away in the structure as possible.

The same approach might apply to coworkers involved in a relationship, especially if they are senior executives. Lloyd shares one example where a company made it clear to the officers of the company that a relationship between senior leaders may force one or both to leave the company. Despite the warning, two senior officers had a secret relationship for years and eventually married after they retired.

Romance and the C-Suite

When senior executives, including CEOs, are romantically involved with employees, HR has an obligation to step in.

"Senior leaders who are having extra-marital affairs, or are dating an employee in the organization, are not showing good judgment and that reflects on their ability to lead. In every case I am aware of, senior leaders are confronted and given an ultimatum," Lloyd says. "The executive is in a position to make decisions that will affect the employee in one way or another. Their position puts the company at risk."

The situation isn't uncommon, according to Lloyd.

"I know of at least three situations where the relationship was discovered when the two traveled together, using the company expense account. In cases where a married executive is dating another married employee, it often results in the termination of the executive," she says.

"The termination isn't a moral judgment about their marital status, it is about the political storm it creates and the inability to command respect and credibility after it is discovered...much like a political candidate who pulls out of a race due to an indiscretion sullyng their ability to lead."

As for Hurd, his ability to lead HP was indeed comprised. However, he is now president of Oracle, one of the world's largest software companies.