



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

Operating Policy and Procedure

HSCEP OP: 70.55, **Consensual Relationships – Faculty, Staff, and Residents**

PURPOSE: The purpose of this Health Sciences Center El Paso Operating Policy and Procedure (HSCEP OP) is to establish a policy defining and addressing consensual relationships between TTUHSCEP faculty, staff, and/or residents, and establishing procedures for reporting such relationships.

REVIEW: This HSCEP OP will be reviewed on February 1 of every even-numbered year (ENY) by the Executive Director for Human Resources, the Managing Director of Equal Employment Opportunity, the Office of General Counsel, and the Chief Financial Officer, with recommendations for revision submitted to the President by March 1.

POLICY/PROCEDURE:

1. Policy.

- a. **Objective.** The objective of TTUHSCEP is to provide an environment in which faculty, staff, and residents may pursue their careers with a maximum of productivity and enjoyment. Behavior or conduct which interferes with this goal will not be tolerated.
- b. **Policy Statement.** It is the policy of TTUHSCEP that employees with supervisory, advisory, training, or evaluative responsibility over other faculty, staff, or residents recognize and respect the ethical and professional boundaries that must exist in such relationships.

Consensual relationships, as set forth below, between employees in supervisory/subordinate relationships, may constitute and/or create (1) conflicts of interest; (2) unprofessional conduct; (3) breach of trust; (4) the appearance of impropriety; and (5) present questions regarding the validity of consent. Such relationships also have the potential for undermining the atmosphere of trust and objectivity essential to the workplace; exploiting the supervisor-subordinate relationship; and creating a professional disadvantage to third parties.

Therefore, TTUHSCEP **PROHIBITS** consensual relationships between supervisors and subordinates, i.e., between individuals who have or may reasonably expect to have supervisory, advisory, training, or evaluative responsibility over other faculty, staff, or residents, or those who are in their chain of command or authority.

- c. **Scope.** This policy applies to all TTUHSCEP faculty, staff, and residents, whether their employment status is full-time, part-time, regular, or temporary.
- d. **Consensual Relationship.** As used herein, a consensual relationship is a mutually acceptable intimate, romantic, sexual, or other affectional relationship between TTUHSCEP faculty, staff, and/or residents.
- e. **Reporting Responsibility.** Should a consensual relationship develop between faculty, staff, or residents in a supervisory/subordinate relationship, the individual in the supervisory or advisory position has the obligation to disclose the existence of the relationship to his or her immediate supervisor, cease the relationship as long as there is any supervisory/subordinate relationship, and cooperate in making alternative

arrangements for the supervision, training, advising, and/or evaluation of the subordinate faculty, staff member, or resident.

- f. **Immediate Supervisory Responsibility.** Supervisors who are notified or become aware of consensual relationships between a supervisor and a subordinate shall take immediate steps to alter the conditions that create the conflict of interest, breach of trust, unprofessional conduct and/or the appearance of impropriety caused by the relationship. An employee who is or was involved in a consensual relationship may not remain under the supervision of the supervisory employee.
 - g. **Failure to Report or Cooperate.** Employees in positions of authority who enter into or persist in consensual intimate, romantic, sexual, or other affectional relationships without contemporaneously reporting them, or who fail to cooperate in efforts to eliminate the conflict of interest, breach of trust, unprofessional conduct, or appearance of impropriety they present, will be subject to disciplinary action, up to and including termination. In the event a complaint of sexual harassment or sexual misconduct is brought by the subordinate party regarding an unreported relationship, there will be no presumption that the relationship was consensual in nature.
 - h. **Grievance of Disciplinary Actions.** Disciplinary actions imposed for violations of this policy may be grieved or appealed by the individual who is disciplined pursuant to existing TTUHSCEP policies and procedures. See [HSCEP OP 60.10](#) and [HSCEP OP 70.10](#), respectively, for faculty and staff complaint procedures.
2. **Right to Change Policy.** TTUHSCEP reserves the right to interpret, change, modify, amend or rescind this policy in whole or in part at any time without the consent of employees, faculty, or residents.
3. **Other.**

See also [Regents' Rules, Sections 03.01 and 03.02](#) regarding ethical behavior and conduct, and [HSCEP OP 10.05, Conflict of Interest and Commitment Policy](#).