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**Policy Name:** Conflicting Employment Relationships

**Policy Number:** I-5

**Functional Area(s) Responsible:** Human Resources

**Owner(s) of Policy:** Human Resources

**Most Recent BOT Approval Date:** Nov 2024

**Most Recent Review Date:** Spring 2025

**Most Recent Review/Revision Type:** ☐ none ☐ minor/non-substantive ☒ substantive/extensive

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### **Policy Statement:**

Conflicting employment (nepotism and consensual romantic) relationships between college employees or between college employees and students are prohibited if there is an existing direct or indirect supervisory, evaluative, or instructional relationship.

If a sexual or romantic relationship exists between faculty or staff in which there is also a supervisory or reporting relationship, those individuals employed by the College are required to disclose relationships which fall within this policy to Human Resources. Alternative supervisory roles will be created to ensure that supervisors in a romantic or sexual relationship with an employee be removed from any evaluation of the employee, and from any activity or decision that may appear to reward, penalize, or otherwise affect the employment status of the employee. Disclosure reduces the risk to both parties, as measures can be taken immediately to mitigate real or perceived conflicts of interest and bias.

Alternative reporting structures will be established for pre-existing relationships or marriages provided that the relationship is reported as required. Individuals who become "related" causing a violation of this policy (such as employees who marry, enter into a domestic partnership or become residents of the same household, or who become relatives as a result of a marriage or domestic partner relationship, or who start dating or otherwise engage in a consensual or romantic relationship after an individual is hired, transferred or promoted into the other's work unit and subject to direct or indirect supervision of the other) are expected promptly to disclose the relationship following the process set forth above for reporting by related persons.

It is the policy of the College that no faculty member, administrator, staff, or others, shall have a romantic or sexual relationship, with a student or subordinate, over whom that faculty member, administrator, staff, or other exercises academic or professional authority. It is also the policy of the College that no faculty member, administrator, staff or other shall exercise academic or professional authority over any student or subordinate with whom that faculty member, administrator, staff or other, has or previously had a romantic or sexual relationship. This policy applies to all full-time and adjunct faculty, staff, and other individuals who exercises academic or professional authority over another. Any faculty member currently or previously engaged in such a relationship must promptly alert Human Resources to the existence of that relationship and cooperate in making alternative instructional and supervisory arrangements necessary to protect the student or subordinate against academic, professional, or financial hardship.

Discipline may be imposed for any individual failing to follow the terms of the policy, subject to any statutory or contractual rights. Violations may include, but are not limited to, failing to disclose and/or actively concealing a

relationship that falls within this policy or willful failure or refusal to cooperate with an approved management plan or retaliation against an employee or student who has disclosed the relationship.

**Reason(s) for Policy:**

Finger Lakes Community College is committed to providing a work environment free of employment discrimination, sexual harassment, and conflicts of interest. To fulfill this obligation and commitment, persons in positions of supervisory or instructional authority are prohibited from initiating or engaging in sexual or romantic relationships with any employees or students over whom they have any authority or responsibility, either directly or indirectly.

Sexual and romantic relationships between college employees and students and/or managers or supervisors and their subordinates create potential conflicts of interest and power differentials. Potential conflicts of interest may arise when individuals have responsibility for advising, supervising, or evaluating the academic or work performance and/or making personnel decisions involving those with whom they have an intimate relationship. When faculty, staff and students exercise power and authority over other faculty, staff, and students whether due to current supervisory, instructional, or other professional responsibility, or perceived influence or control over an educational or work experience, a power imbalance is created, which may impede the real or perceived freedom of the faculty, student, or employee not to enter into a sexual or romantic relationship or to terminate or alter that sexual or romantic relationship.

To address this imbalance, the State University of New York Board of Trustees requires all SUNY campuses (state-operated campuses, community colleges and statutory colleges) adopt a specific sexual and romantic relationships policy.

**Applicability of Policy:**

This policy applies to all College employees and students. Students who are only employed with the College as student aides or work study will be categorized as students.

**Definitions:**

**Relative or closely related person:** (also referred to as “related persons”) for purposes of this policy, is defined as a familial or other close relationship, whether by blood, adoption, marriage or domestic partnership (e.g., a spouse, domestic partner, child, grandparent, grandchild, aunt, uncle, brother, sister, first cousin, niece, nephew, any corresponding in-law or step- or foster relation), as well as any persons residing in the immediate household and any individual currently or within the prior two years sexually or romantically involved in a consensual relationship with any College employee.

**Sexual or romantic relationship:** a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature.

**Related Documents:**

FLCC Non-Discrimination Policy

**Procedures:**

None

**Forms/Online Processes:**

None

**Appendix:**

None