

Relationships Between University Employees Involving Power Differentials

A Guide for University of Manitoba Employees

This document provides practical guidelines with respect to consensual intimate or sexual relationships between employees that involve power differentials capable of creating Conflicts of Interest. For more information, please refer to the [Conflict of Interest Policy](#) and the related [Procedures](#).

“Employee with Power” here refers to any employee of the University of Manitoba: Executive, Academic or Support Staff, as well as anyone working under the auspices of the University, including post-doctoral fellows, visiting professors or researchers, and students, who has power over another employee.

A “power differential” refers to a difference between two individuals in terms of position and authority.

Conflicts of Interest

A Conflict of Interest is a situation where the personal interests of an Employee **compromise** or have the **appearance of compromising** the Employee’s judgement.

It is a Conflict of Interest under the University’s [Conflict of Interest Policy](#) for an Employee to be in an **intimate or sexual relationship** with another employee over whom they have power.

A Conflict can be **potential, actual or perceived**. Even though an Employee might not think their judgement is compromised because of the relationship, others might think that it is.

An intimate relationship can involve physical and/or emotional intimacy. Emotional intimacy involves trust, vulnerability and openness. A sexual relationship may be a single occurrence or ongoing.

The concerns outlined here can also be present in other types of relationships, including staff/student relationships.

Disclosure is Mandatory

The University **requires** an Employee with Power to immediately disclose such a relationship in writing to the head of their unit. **Disclosure is protection for both parties**. A plan will be developed to ensure conflicts are avoided, which typically requires the Employee with Power to remove themselves from any supervisory role with respect to the other employee. This process will follow the steps set out in the University’s Conflicts of Interest Procedures. If an Employee with Power does not disclose a Conflict of Interest, they may face disciplinary actions.

It is the duty of the Employee with Power to disclose any Conflict of Interest, not the duty of the other employee.

Intimate Relationships Between University Employees Involving a Power Differential are Strongly Discouraged and Should be Avoided

If an employee supervises, advises, evaluates or is otherwise in a position of authority over another employee, an intimate or sexual relationship between them represents a Conflict of Interest under the University's [Conflict of Interest Policy](#). In cases such as this, the University **requires** the Employee with Power to immediately disclose the relationship in writing to the head of their unit. Once a disclosure is made, the matter will be assessed to ensure conflicts are avoided, which will typically involve the Employee with Power being removed from any supervisory role with respect to the other employee. If an Employee with Power does not disclose a Conflict of Interest, they may face disciplinary action.

Intimate personal relationships between an Employee with Power and an employee over whom they have power may constitute or give rise to a subsequent claim that the relationship constituted sexual harassment.

Employee Behaviour

Employees vary in their level of formality in interactions with coworkers.

While being friendly with employees over whom they hold power is not inherently problematic, Employees with Power should be aware that their behaviour may be perceived differently than it was intended. Interactions that are perceived as informal and personal may make employees feel uncomfortable and may lead them to question the intent of the supervising individual.

Geolocating or dating apps that facilitate intimate or sexual relationships and that identify University of Manitoba property as a location have the potential to involve power differentials and therefore to create a Conflict of Interest or the perception of one.

Among the behaviours that may be perceived differently are:

- A social invitation to an individual employee (e.g. for dinner or coffee);
- Commenting on an employee's dress or appearance;
- An invitation to the home of the Employee with Power;
- A gift;
- A proposal to share accommodation (e.g. for a conference);
- Personal questions or disclosures; or
- Physical contact of any kind.

TIPS FOR MAINTAINING PROFESSIONAL RELATIONSHIPS WITH COWORKERS

- ✓ *Periodically reflect on relationships with employees that you supervise to ensure that they maintain professional boundaries.*
- ✓ *If an employee that you supervise asks for help with a personal issue, be supportive, but avoid taking on a counselling role. Refer them to resources that may be of assistance to them.*
- ✓ *Avoid initiating discussions with employees that you supervise about their social or sexual life, or giving unsolicited advice on personal matters (family, relationships, etc.).*
- ✓ *Be aware that individuals from cultures different from your own may interpret actions differently than you do.*
- ✓ *Avoid inappropriate physical touching (such as hugs, kissing).*
- ✓ *Communicate your own boundaries for interactions with employees that you supervise. If an employee crosses a boundary, let them know that it is inappropriate in the context of your relationship with them.*
- ✓ *Avoid romantic or sexual relationships with coworkers where there is a power differential.*

Need Support?

This Guide aims to provide guidance solely with respect to **consensual** romantic or sexual relationships between employees involving power differentials.

Any employee with a complaint or charge of discrimination or sexual harassment involving an employee in a position of power, which may or may not arise from a consensual romantic or sexual relationship, may seek the necessary support at:

- [Respectful Work and Learning Environment Policy](#)
- [Sexual Assault Policy](#)
- [Respectful Work and Learning Environment Webpage](#)

and/or may report the situation to the [Office of Human Rights and Conflict Management](#).

Similarly, an individual who experiences harassment or inappropriate behaviour from an employee under their supervision may seek the necessary support including from the resources listed above.