

STATE OF MAINE
POLICY ON CONSENSUAL ROMANTIC RELATIONSHIPS IN THE WORKPLACE

I. Policy Statement

The State of Maine holds its employees to the highest ethical and professional standards. As such, this Policy provides guidance regarding employees forming, having, and ending romantic relationships with each other. The goal of this policy is to protect the well-being of all employees and retain the professional working environment. This policy does not prevent the development of romantic relationships between employees, but it does establish boundaries as to how relationships are conducted during working hours and within the working environment.

This Policy applies to all Executive Branch employees regardless of gender, sexual orientation, gender identity, or other protected characteristics.

II. Definitions

“Co-Worker” means a person with whom one works that does not have a Subordinate-Supervisor Relationship in the hierarchy of the organization.

“Personal Relationship” means a consensual romantic or sexual relationship between two employees. For purposes of this definition, Personal Relationship means at least three days where consensual romantic encounters take place during a 30-day period or one consensual sexual encounter. Personal Relationships also specifically include spouses and domestic partners.

“Subordinate-Supervisor Relationship” means the workplace relationship of the organizational structure between an employee and their supervisor. This also includes immediate and non-immediate supervisors (e.g. an employee’s supervisor’s supervisor.)

III. Policies Against Harassment and Discrimination

Notwithstanding this Policy, any behavior that violates the State of Maine’s Policy Against Harassment, or Policy on Non-Discrimination in Employment is expressly prohibited and may result in discipline up to and including termination. In the event of conflict between this Policy and the State of Maine’s Policy Against Harassment or Policy on Non-Discrimination in Employment, the Policy Against Harassment and/or the Policy on Non-Discrimination in Employment shall control.

IV. Disclosure of a Personal Relationships with a Supervisor

Employees who have a Subordinate-Supervisor Relationship and have a Personal Relationship or establish a Personal Relationship must report the relationship to both Human Resources and the Supervisor's Supervisor within one week of the commencement of the Personal Relationship or of the establishment of the Subordinate-Supervisor Relationship, whichever came later. Either employee may report the relationship, but the expectation is that the Supervisor should make the report. Employees should not disclose the specifics of their relationship, only whether they meet the definition of Personal Relationship as defined in this Policy.

Human Resources will review the Subordinate-Supervisor Relationship on a case-by-case basis. Supervisory relations that include a Personal Relationship between a supervisor and their subordinate will be guided by consideration of sound management practice. Human Resources, in consultation with management other than the employees in the Personal Relationship, may change the organization structure so that the employees who are in a Personal Relationship will not have a Subordinate-Supervisor Relationship. These changes in organizational structure are non-disciplinary for both employees.

An employee who has a Personal Relationship with a Supervisor that they do not have a Subordinate-Supervisor Relationship with is treated as having a Personal Relationship with a Co-Worker under Section (V) of this Policy.

V. Personal Relationship with a Co-Worker

Employees do not need to disclose a Personal Relationship with a co-worker so long as there is no disruption in the workplace.

VI. Ending a Personal Relationship

If two employees end their Personal Relationship with each other, both must maintain professionalism in the workplace and be mindful of the State's Policy Against Harassment. Human Resources will review reversion of any organizational changes due to the Personal Relationship on a case-by-case basis.

VII. Confidentiality

The State respects an employee's desire for confidentiality and will maintain the confidentiality of a disclosure under Section IV of this Policy unless otherwise required to share the information under State or Federal law, State or Office Policy, Investigations, or due to other business necessity.

VIII. Disruptive Behavior

All employees must refrain from behavior that is disruptive to the workplace. Examples of disruption include, but are not limited to:

1. Arguing in the workplace;
2. Kissing or other public displays of affection;
3. Exchanging an excessive number of instant messages or prolonged phone calls during working hours; or
4. Boasting about or discussing your relationship in your colleagues' presence.

IX. Effective Date

The effective date of this policy is July 15, 2024