

	HARRISONBURG POLICE DEPARTMENT General Orders	Policy Number: 818
	Chapter: Personnel	Total Pages: 4
	Section: Member Relationships in the Workplace	Issue Date: 08/01/2022
	Issued By: Kelley Warner, Chief of Police	Effective Date: 06/12/2024
	Replaces: All General Orders Previously Issued Relative to Subject	
VALEAC Standards:		

A. POLICY AND PURPOSE

Intimate relationships between co-workers, particularly between supervisors and subordinate employees, can result in favoritism or the perception of favoritism and undermine confidence in the Department and its personnel system. In addition, some intimate relationships that develop through professional associations can create conflicts of interest and liability for the employee and the Department.

The policy of the Department is to ensure that the workplace is free of actual or perceived biases and conflicts of interest, to ensure that work-related activities, benefits, assignments, and other personnel actions are not related to, or influenced by familial or intimate relationships and to maintain the highest standards of professionalism and bearing in providing services to citizens.

The Department believes that it is in the members and Departments best interest to keep business and professional relationships separate from personal relationships. The purpose of this policy is to provide guidance concerning these relationships and those that are improper such as those between a supervisor and subordinate. This is to ensure the integrity and effectiveness of the Department's chain of command and to prevent impropriety and conflicts of interest that arise out of employee relationships.

B. ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this policy. Responsibility rests with the supervisor to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated. This directive is for internal use only and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

C. DEFINITIONS

Conflict of Interest: Any situation in which a member has a private or personal interest sufficient to appear to influence the objective and impartial exercise of his/her official public duties for personal benefit.

Members: For purposes of this policy, members are persons who perform services for or on behalf of the Department and whose duties and assignments are directly controlled by the Department.

Family Member(s): Spouses, children, step-children, parents, grandparents, siblings, siblings' in-law, aunts, uncles, nieces, nephews, legal guardians and individuals with common biological children.

Household Member(s): Any person who is dependent upon, or resides with the Department Member, and can include a family member.

Intimate Partner(s): Any persons with whom a Department Member has an intimate relationship with.

Intimate Relationship(s): Interpersonal relationships that involve physical, emotional, romantic or sexual intimacy that includes "dating" in the term's common meaning.

Subordinate(s): Any Department Member who is subject to the supervisory authority of any other Department member regardless of the individual assignments of the employees.

Supervisor(s): Sworn Members holding the ranks of Sergeant and above or non-sworn professional staff designated by the Department as supervisors.

D. DEPARTMENT ASSIGNMENTS

- a. The Department will not knowingly assign employees who are family members, household members, or intimate partners to positions;
 1. Where one employee will directly supervise, evaluate, appoint, remove, discipline, or audit the work of the other, or;
 2. Where circumstances exist or reasonably could exist which would place employees in situations where a reasonable and prudent person would believe that;
 - a. The relationship interest could interfere with the performance of the employee's official duties or the interests of the Department, or;
 - b. Some action by the Department is necessary to avoid improper influence or conflicts of interest.
- b. The Department will not knowingly assign former intimate partners to positions when the Department believes conflicts of interest or disruption to the workplace could occur.
- c. The department recognizes that there may be special or temporary assignments, such as special events, where family, household members or intimate partners can work together for short durations of time.

E. SUPERVISOR/SUBORDINATE RELATIONSHIPS

Supervisors who pursue intimate relationships with subordinate employees or with employees whom the supervisor can exercise authority, control, or appraisals over are reminded that their supervisory actions

with the subordinate employee can reasonably be viewed by other employees as lacking impartiality. That appearance disrupts morale and creates an unfair and harmful appearance that the subordinate employee may benefit from favoritism.

Relationships between supervisors and subordinate employees must not diminish the Department's integrity or its organizational structure; therefore, the following shall apply;

- a. Supervisors are prohibited from pursuing, forming, or engaging in intimate relationships with any subordinate employee.
- b. Supervisors and employees acting in positions of authority shall act with great caution and social restraint to prevent allegations that their rank or position inhibited a person subject to their authority from rejecting unwelcome personal attention or contact.
- c. Exemptions
 1. Employees who are promoted to a supervisory rank, or who are promoted to a higher supervisory rank are exempt provided that the intimate relationship existed with the subordinate employee prior to the promotion to supervisory rank.
 2. When this exemption applies the involved Supervisor shall inform the Department of the relationship.

F. PROHIBITIONS AND LIMITATIONS

While normal interaction between employees in the workplace may involve reasonable discussion of social contacts and activity outside of employment hours, the guiding rule is that personal relationships shall be pursued on personal time with personal resources.

- a. Employees shall not allow personal acquaintances unauthorized access to Department buildings, facilities, and work spaces.
- b. Physical intimacies in Department buildings, facilities, work spaces and vehicles are prohibited.
- c. Physical intimacies during working hours are prohibited.
- d. Notwithstanding those intimate relationships between employees already regulated by this policy, some other intimate relationships are considered improper as they disrupt the working environment, compromise the interests of the Department, make the member subject to manipulation, create conflicts of interest and may generate liability for the employee and the Department.
- e. Therefore, employees are prohibited from knowingly pursuing, forming or engaging in intimate relationships with:
 1. Current confidential informants;
 2. Victims, witnesses or suspects in any case or complaint investigated by the Department that is awaiting final adjudication or investigative determination.
 3. Persons that are in law enforcement custody;
 4. Persons facing police charges initiated by the Department and who are awaiting final adjudication of the charges;
 5. Students or trainees when the employee is acting as an instructor;
 6. Trainees when the employee is performing duties as a field training officer
 7. Interns, mentees, cadets, or volunteers when the employee is facilitating, supervising, training, or otherwise involved in that person's affiliation with the Department.

- f. Pre-existing intimate relationships may be exempt, depending on the specific circumstances of the relationship and examined on a case by case basis.
- g. Members are prohibited from pursuing, forming or engaging in intimate relationships:
 - 1. With other members, regardless of rank, while the members are working together in undercover or covert assignments;
 - 2. With persons who have a reputation for involvement in criminal activity;
- h. Intimate relationships between Members shall not create any adverse effect to the work environment. Intimate relationships will be considered to have an adverse effect on the work environment if:
 - 1. The relationship unreasonably interferes with either members work performance;
 - 2. The relationship unreasonably interferes with the work environment of other members;
 - 3. The relationship creates or results in harassment of any kind.
- i. Members are prohibited from being involved in any of the following circumstances that involve a family member, household member or an intimate partner:
 - 1. Recommendations or involvement in the employment, appointment, promotion, advancement or performance appraisal regardless of qualifications or merit;
 - 2. Participation in or attempting to influence a financial matter which could include employment, ratings, compensation, monetary awards, training, or travel.

G. REPORTING REQUIREMENTS

The Department strives to ensure fairness in the management and assignment of members and to foster an effective working environment; therefore:

- a. Members shall promptly notify their supervisor when any situation arises that will result in employees working in violation of the restrictions as described in this policy;
- b. Members who develop intimate relationship as regulated by this policy shall disclose said relationship in writing to their supervisor, thus enabling the Department to document the consensual nature of the relationship and to make appropriate staffing decisions in compliance this policy
- c. The Department will disseminate relationship disclosure information to Commanders and Supervisors on a need-to-know basis.

H. INVESTIGATIVE PROTOCOL

The private lives of Department members and their relationships with others are subject to inquiry by the Department when the relationships may:

- a. Negatively impact the ability of the Department to perform its functions
- b. Violate any law
- c. Violate Department policy