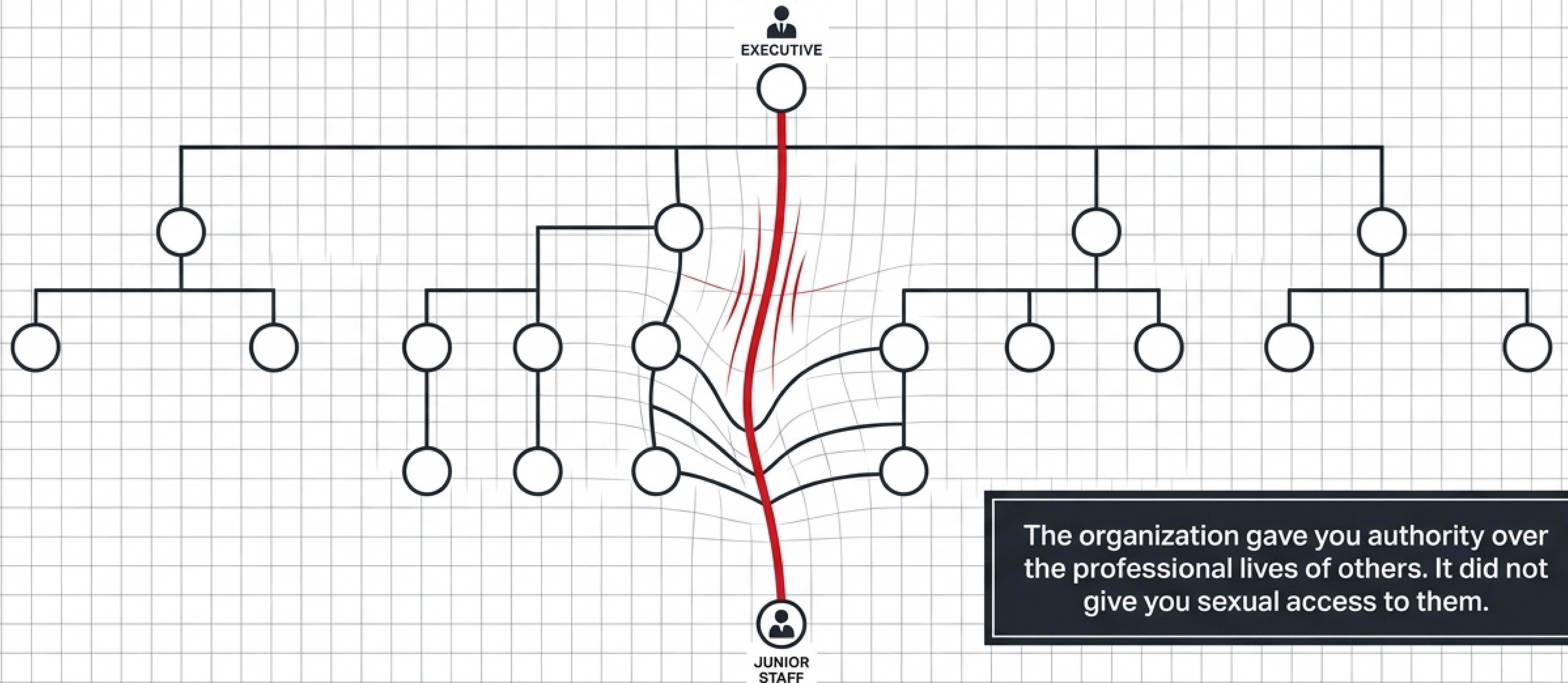


Stop Calling It “Sleeping With the Boss”

Sexual Grooming, Institutional Power, and the Breach of Employer Trust.



A BREACH OF DELEGATED POWER, NOT A PRIVATE ROMANCE

THE FLAWED VIEW

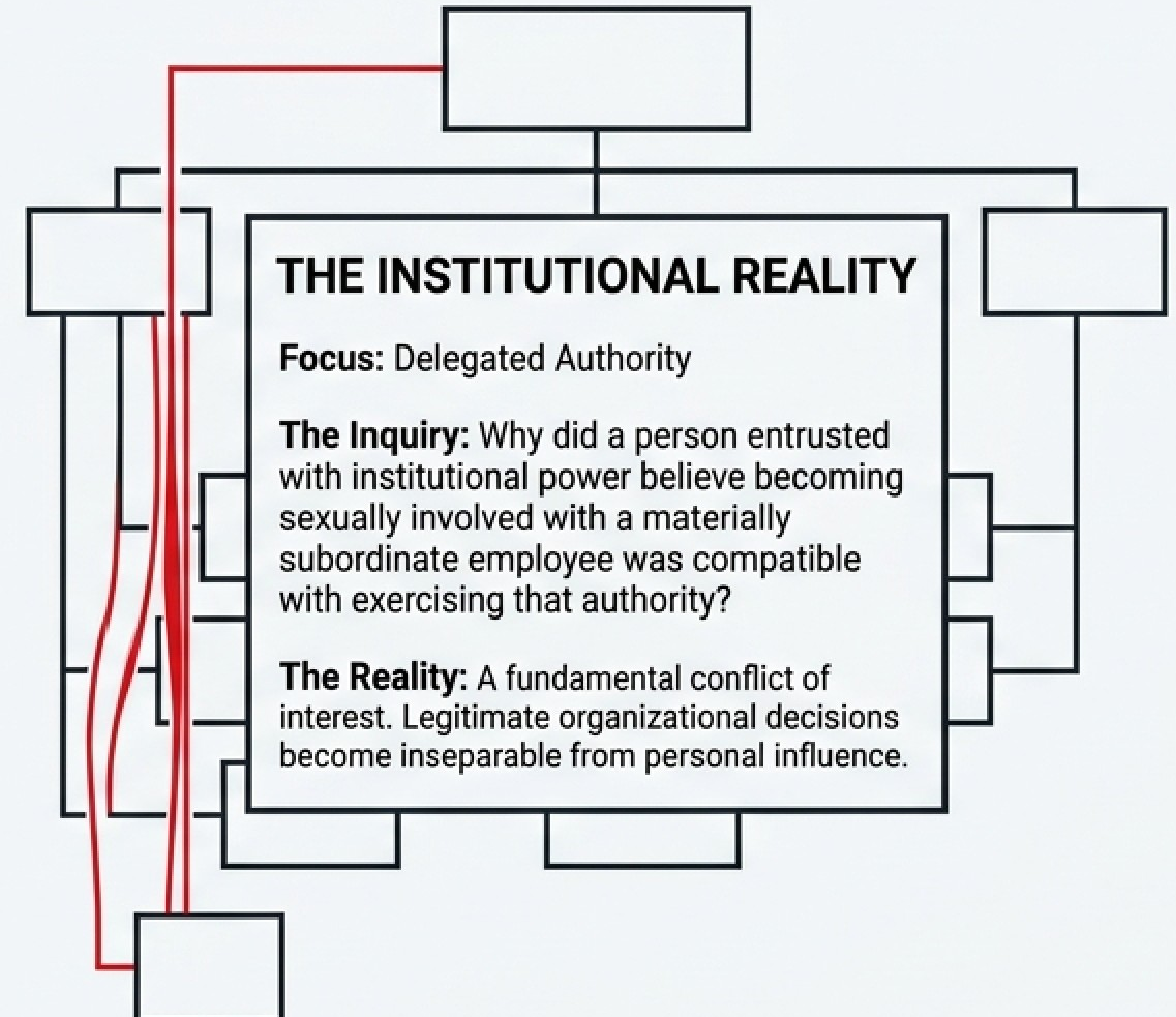
THE FLAWED VIEW

Focus: Private Gossip

The Inquiry: Who pursued who? Were there gifts? Was it consensual? Did it happen after hours?

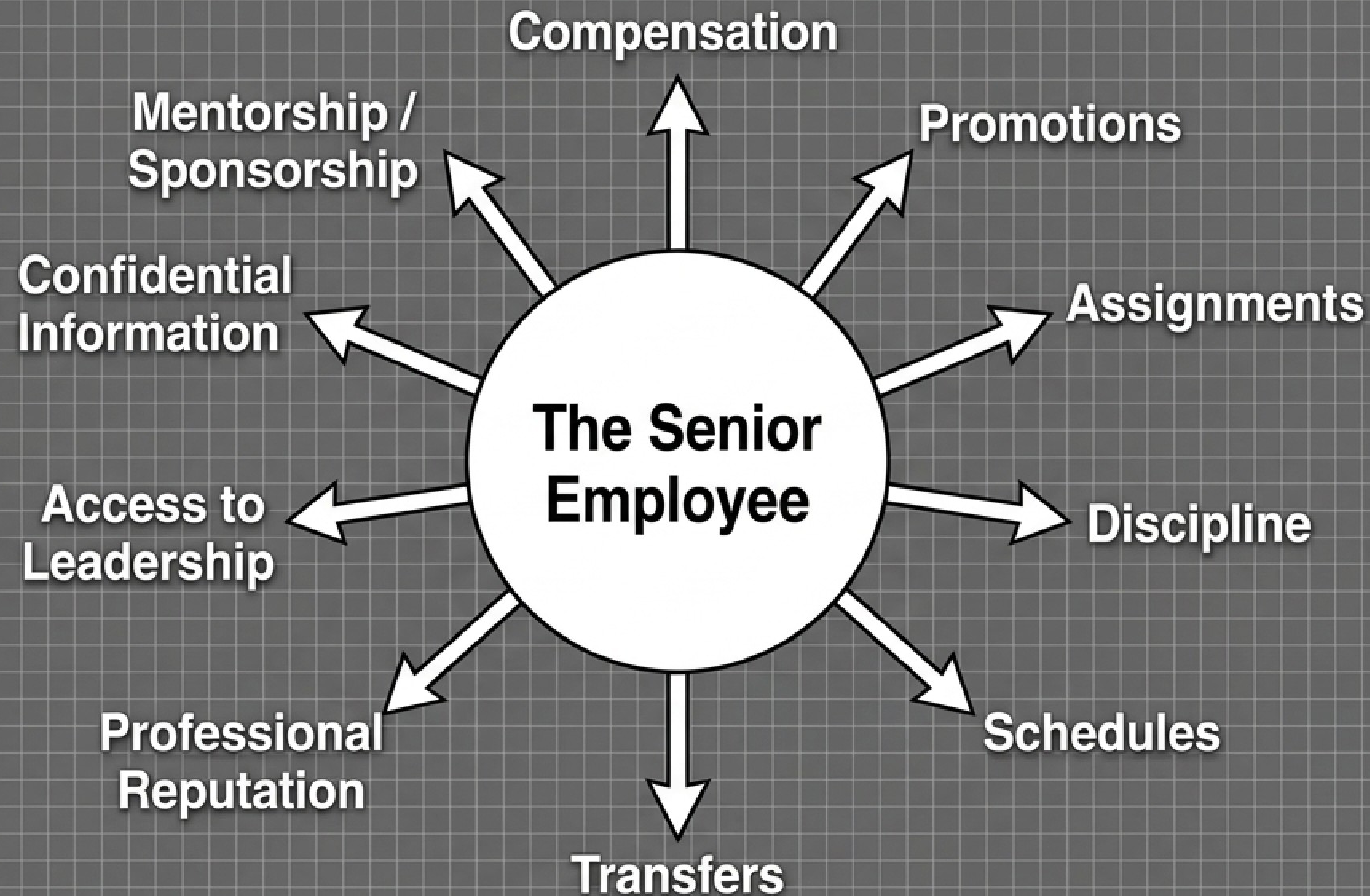
The Error: Reduces unequal organizational dynamics to a relationship between two adults occupying roughly equivalent positions.

THE INSTITUTIONAL REALITY



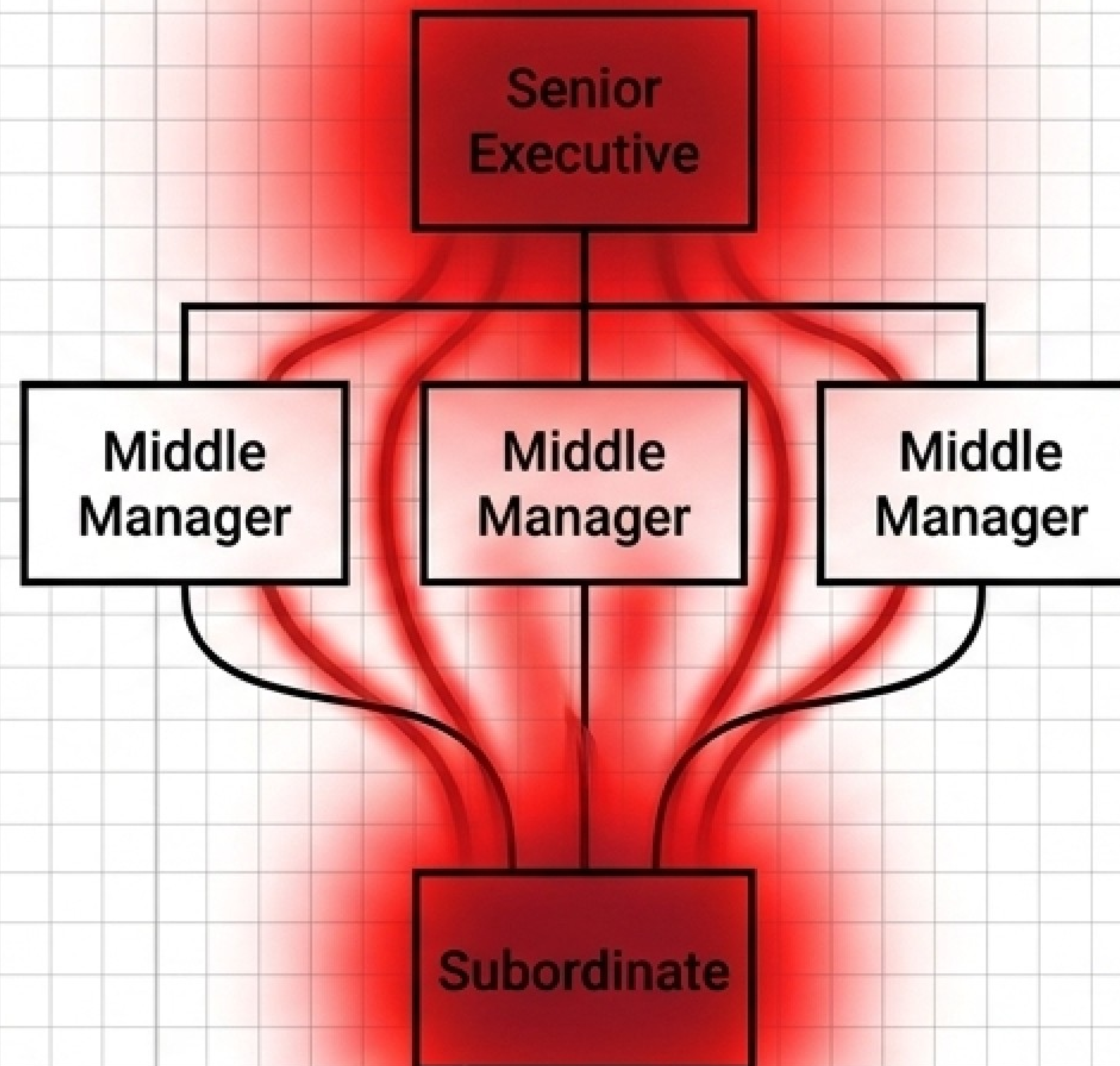
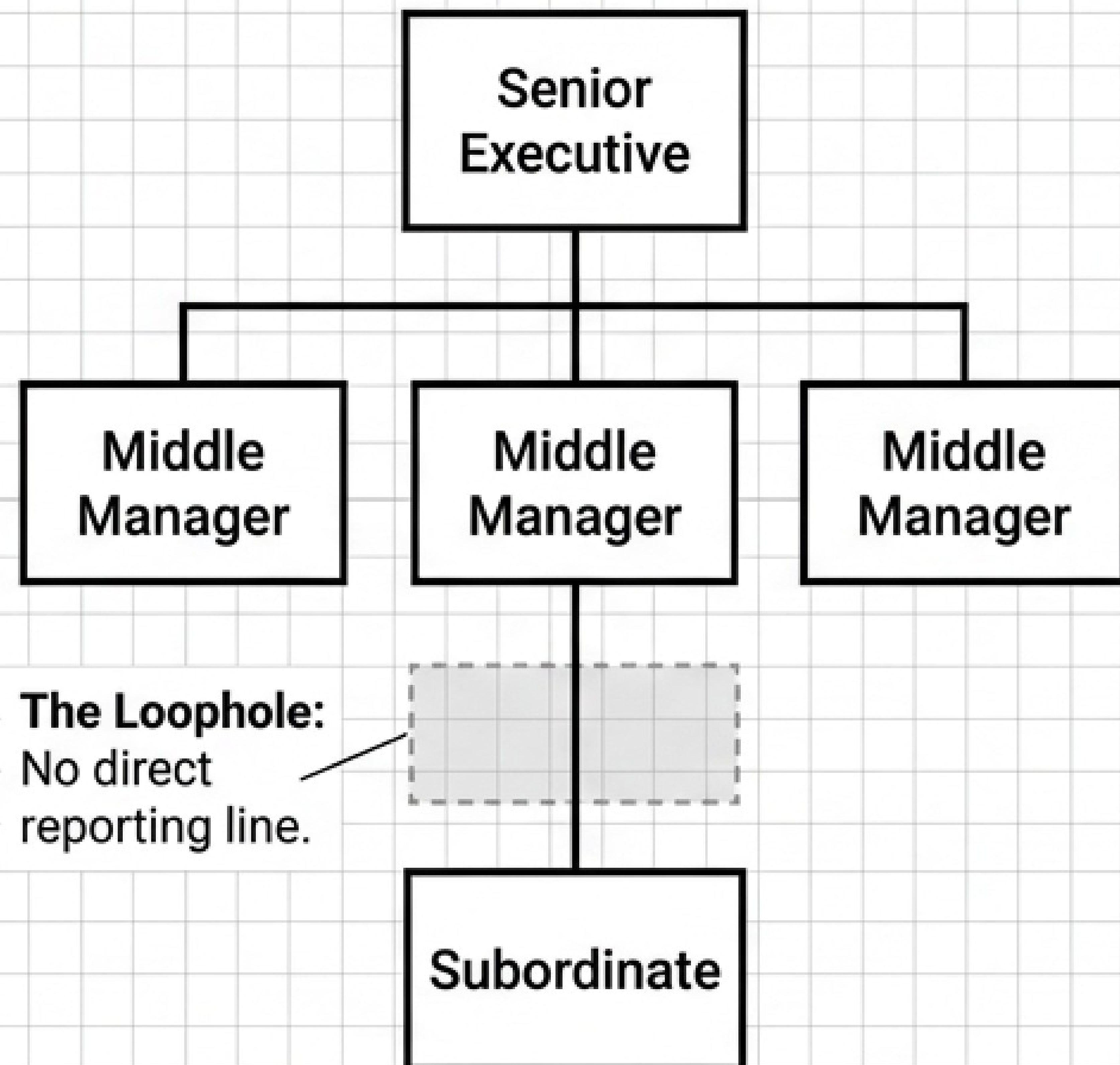
Translating the Language of Evasion into Institutional Reality

GOSSIP TERM	WHAT IT IMPLIES	INSTITUTIONAL REALITY
'Sleeping together'	Mutuality, voluntariness, and roughly equivalent footing.	Prohibited Sexual Contact Across a Material Power Differential Context: Obscures the structural conflict, professional dependency, and favoritism intrinsic to unequal power.
'Affair'	Secrecy, marital fidelity, or private morality.	
'Workplace Romance'	Sentimental emotional attachment.	



Authority is not a private possession; it is delegated by the employer for legitimate institutional purposes. This delegation creates a strict obligation to exercise restraint, impartiality, and loyalty to organizational goals.

Institutional Power Does Not Require Direct Supervision



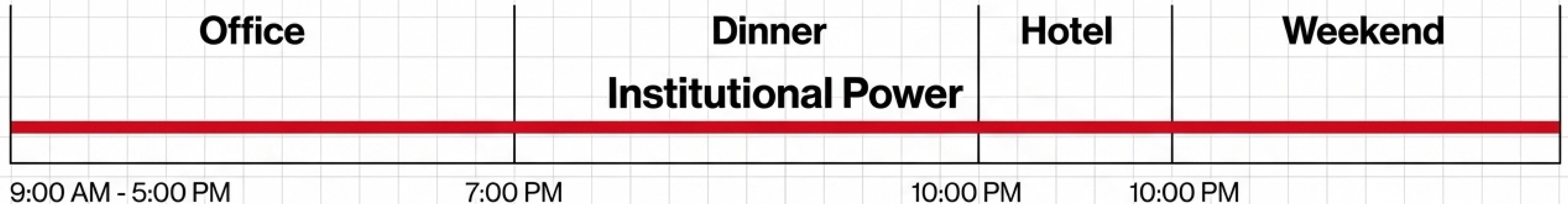
Formal Position Power: The direct authority to provide rewards or impose sanctions.

Actual / Indirect Power: The ability to influence the managers who do sign the evaluations.

Apparent Authority: The subordinate's reasonable understanding of the executive's access to leadership.

Power does not disappear because another supervisor technically signs the subordinate's paperwork.

The Employer's Power Does Not Turn Off at the Office Door



The Argument:

“We were off-duty and off-premises. The encounter was private.”

The Precedent:

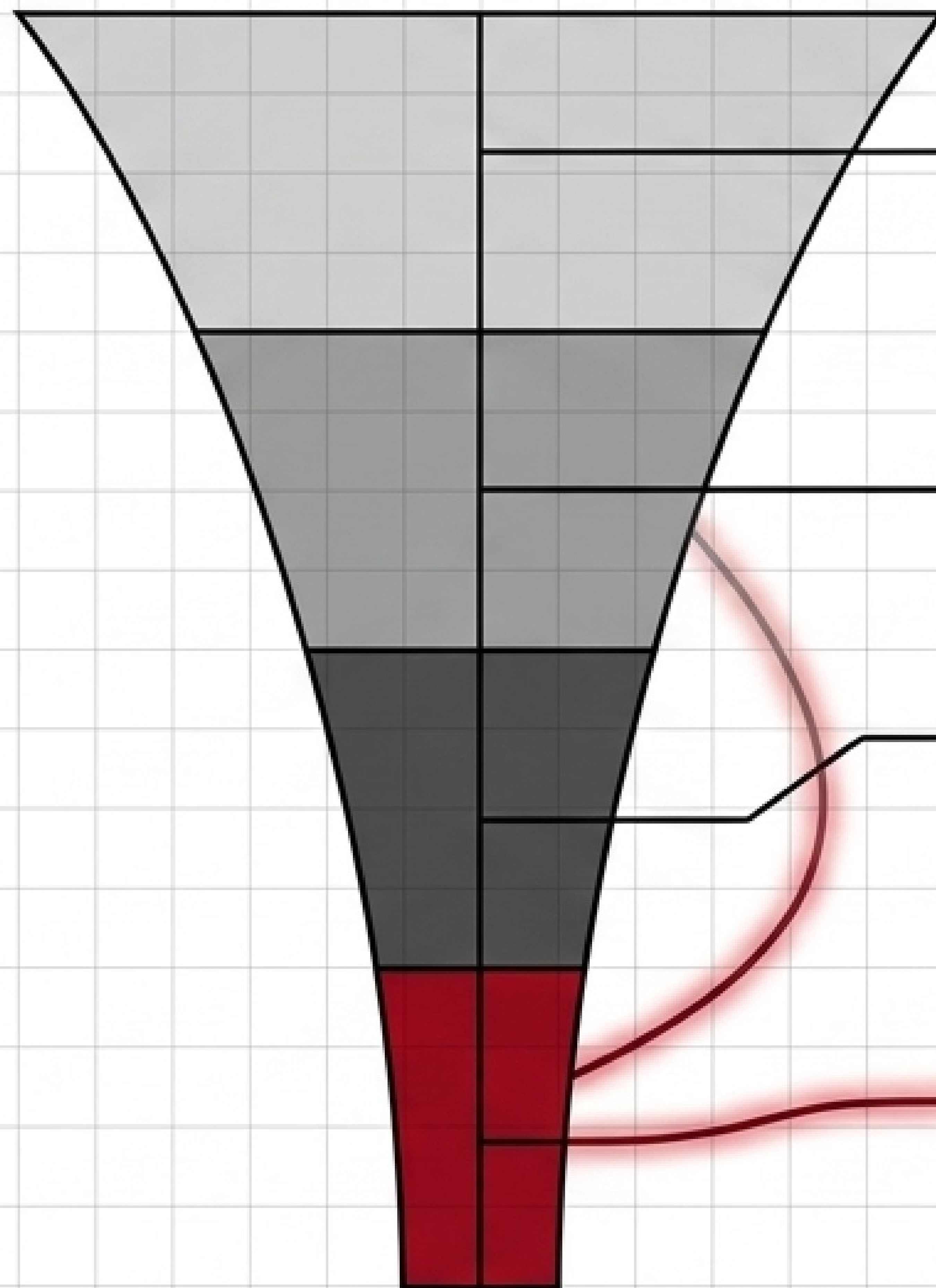
Federal law (Ferris, Tomka, Parrish) views the workplace functionally, not geographically.

The Functional Reality:

Employment created the proximity, supplied the authority, and influenced the interaction.

A senior executive remains a senior executive after leaving the office. On Monday morning, the hierarchy returns to the workplace intact.

Institutional Resources Are Weaponized for Personal Access



Phase 1: Professional Access

Identifying talent, offering desirable assignments, mentorship, and sponsorship. (Legitimate institutional functions).

Phase 2: Boundary Testing

Moving communications to private channels, unusual access to the senior employee, expanding contact beyond working hours.

Phase 3: Dependency & Isolation

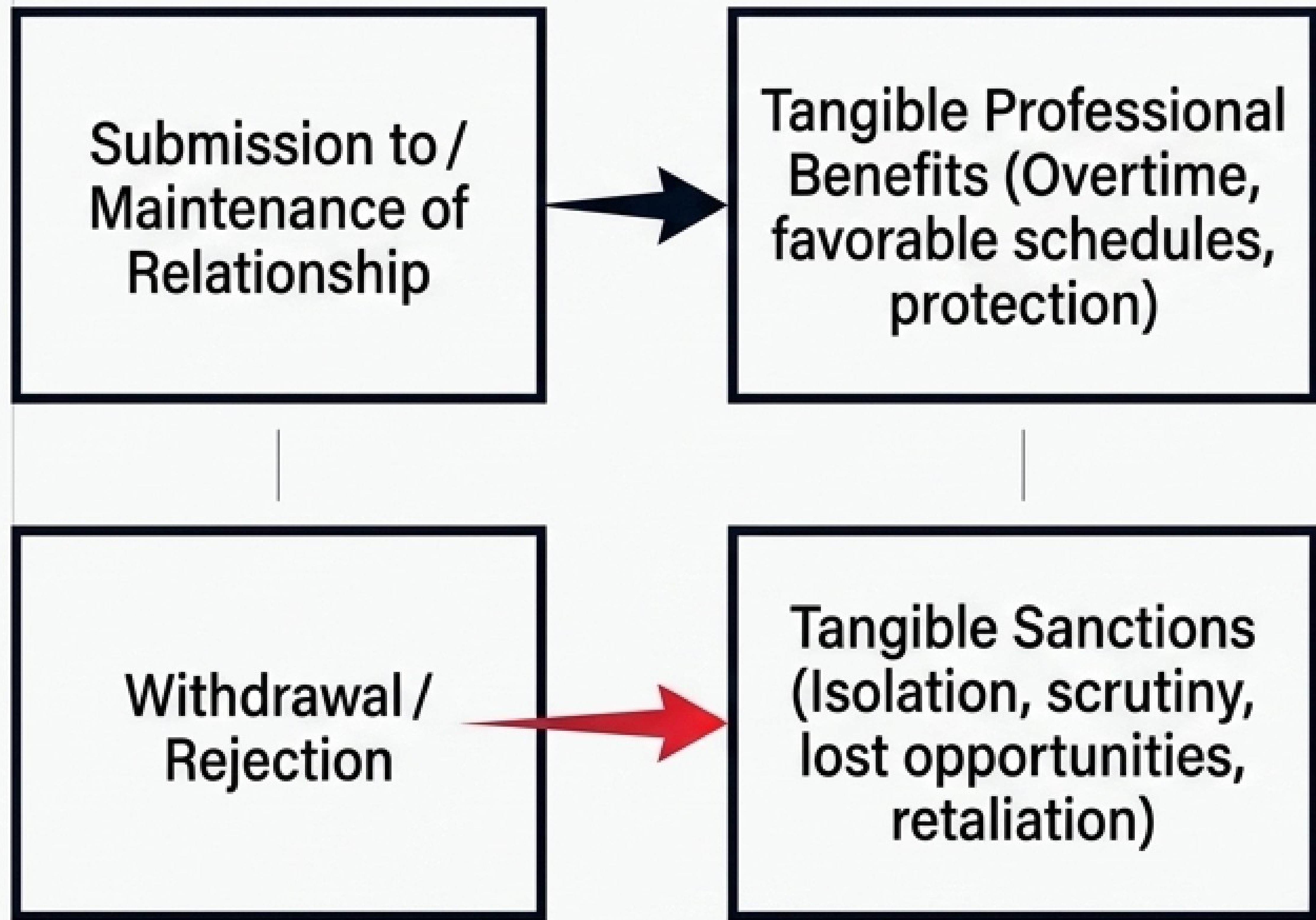
Subordinate receives opportunities unavailable to peers; senior employee becomes the primary source of professional protection and validation.

Phase 4: Sexualization

The professional boundary is explicitly crossed.

By isolating each event ("Was it wrong to provide career advice?"), organizations miss the architecture of the sequence.
Chronology is essential.

The Power Structure Communicates the Bargain Without Words



The Myth:

Harassment requires a spoken ultimatum ("Sex for a promotion").

The Legal Reality (Karibian v. Columbia University):

Supervisory authority links tangible employment benefits to acceptance or rejection, even without an express threat. The use of employment authority reveals the connection.

The Organizational Reality:

In strong hierarchies, power operates implicitly. A sophisticated superior does not need to articulate what the organizational structure already communicates.

'Consenting Adults' Answers the Wrong Question

Legal Consent

Determines if an act is a crime, tort, or actionable discrimination. Focuses on the subordinate's willingness or initiation.

Attraction and institutional dependency can coexist. A subordinate can 'consent' while knowing rejection carries professional risks.

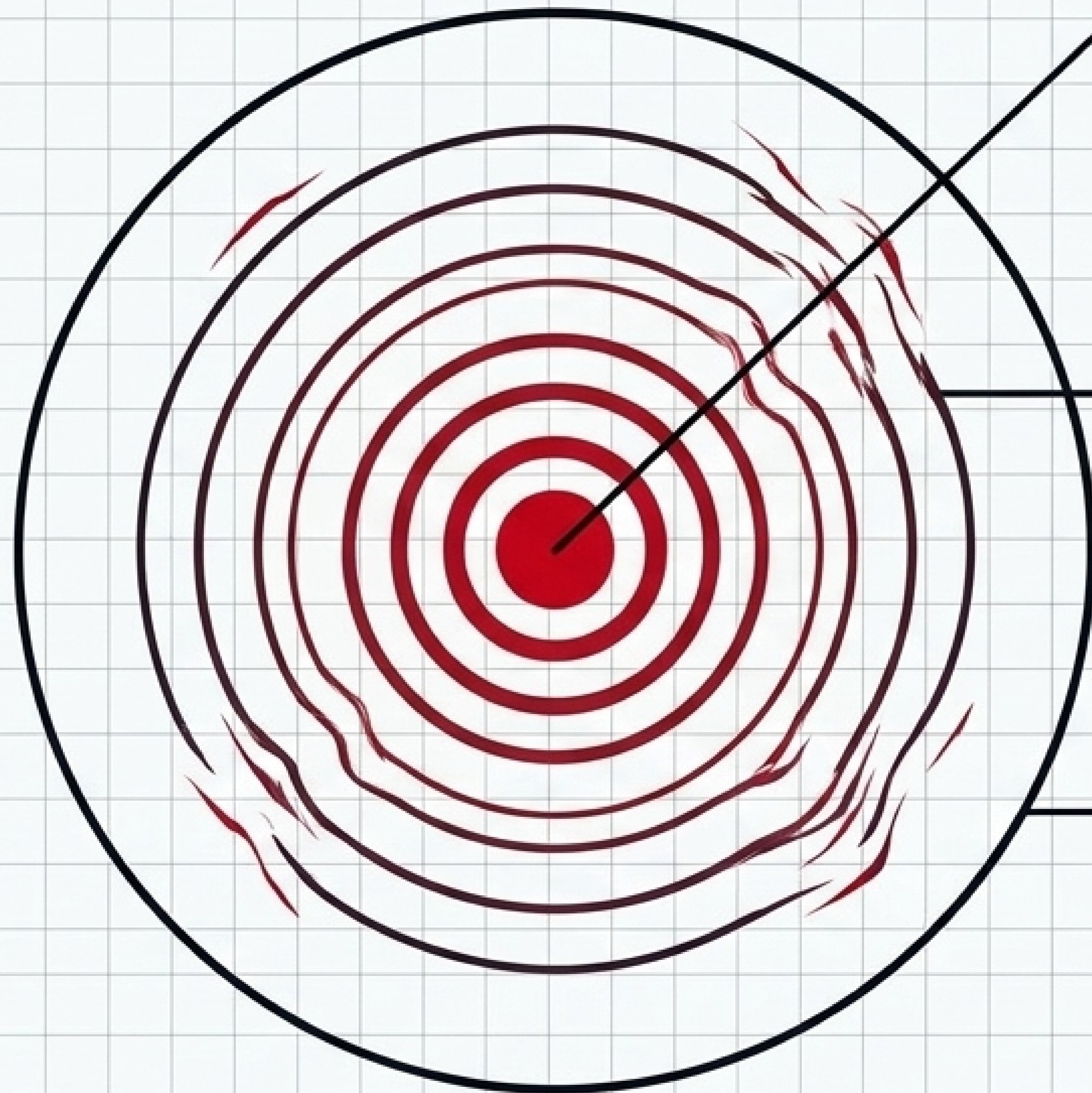
Institutional Integrity

Determines if a professional boundary was breached. Focuses on the senior employee's use of delegated power.

Subordinate initiation does not transfer the senior employee's institutional rank downward.

The employer did not consent to the commingling of its delegated authority with an employee's private sexual interests.

The Collateral Damage Corrupts the Entire Organization



Epicenter: The Participants

Data: 33% of US workers engage in workplace romance; 19% with superiors, 12% with subordinates. (La France, 2022)

Layer 1: Peers & Coworkers

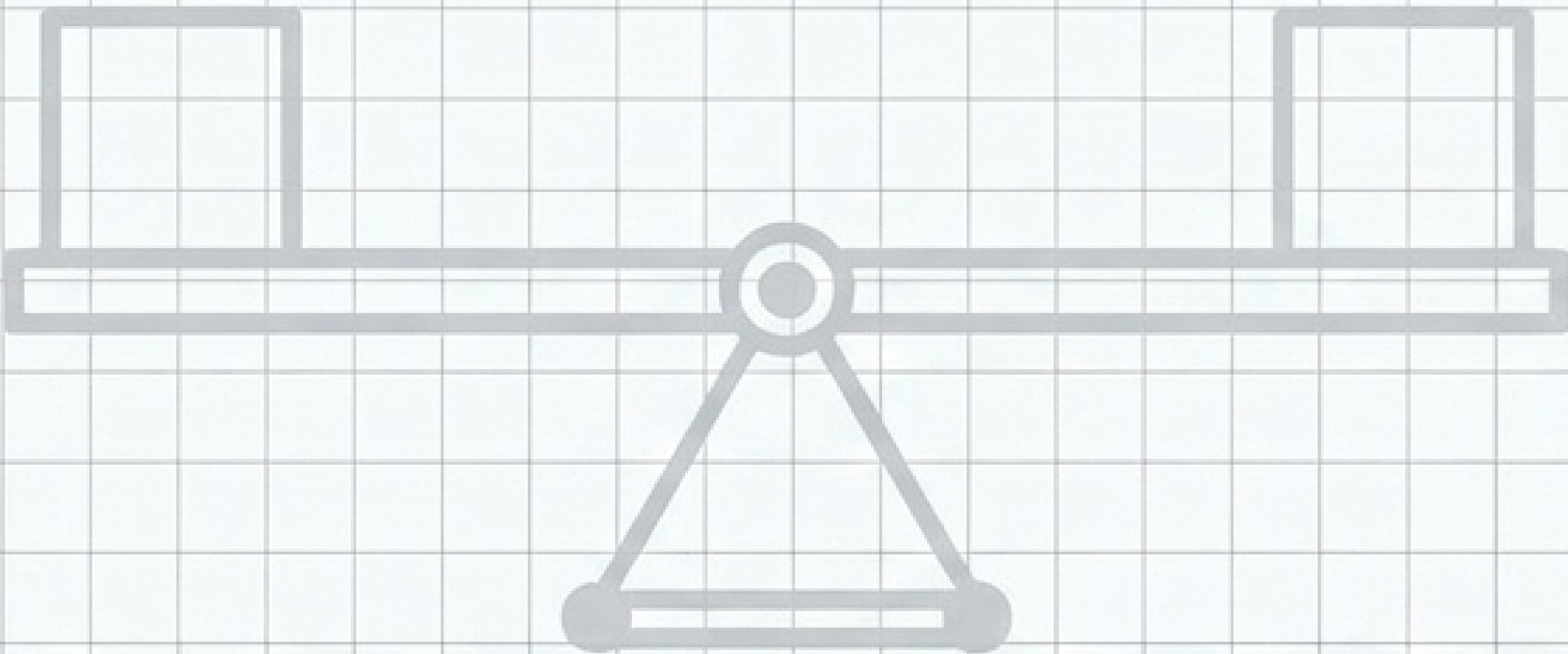
Erosion of trust. Perceived favoritism. Legitimate achievements of the subordinate are permanently discounted. Disrupted teamwork.

Layer 2: The Institution

Loss of confidence in merit-based promotion. Chilled reporting systems (fear that complaints will reach the senior employee). Damaged leadership credibility.

The Personal Relationship Ends, But the Hierarchy Remains

The Romance Phase

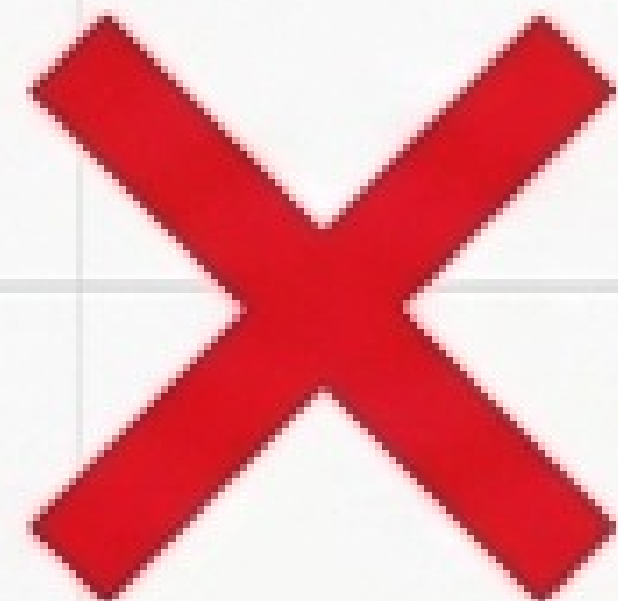


The Dissolution Phase



The Data	The Catalyst	The Asymmetry
~48% of workplace romances dissolve. 24% of HR professionals report sexual harassment claims arising directly from workplace romances (Pierce & Aguinis).	The personal relationship ends. The organizational hierarchy remains exactly where it was.	The senior employee retains rank, institutional relationships, and authority. The subordinate faces retaliation, reputational damage, or forced transfer. The employee with less power bears the greater professional cost.

Current Human Resources Interventions Structurally Fail

Policy Approach		The Assumption	The Structural Failure
Disclosure		Transparency solves the problem.	Informs the employer of a conflict, but does not neutralize the power differential.
“Love Contracts”		A signed document guarantees voluntariness.	Converts a structural conflict of authority into a paperwork problem. The document doesn’t erase the hierarchy.
Recusal / Transfer		Removing direct reporting fixes the imbalance.	Assumes informal influence and institutional networks disappear with formal reporting lines. Punishes the subordinate.
Strict Prohibition		Personal intimacy and vertical authority are incompatible.	Prevents the conflict entirely.

The New Standard Requires Strict Liability and Mandatory Termination

Did prohibited sexual involvement occur?

Yes

Did a material vertical power differential exist?

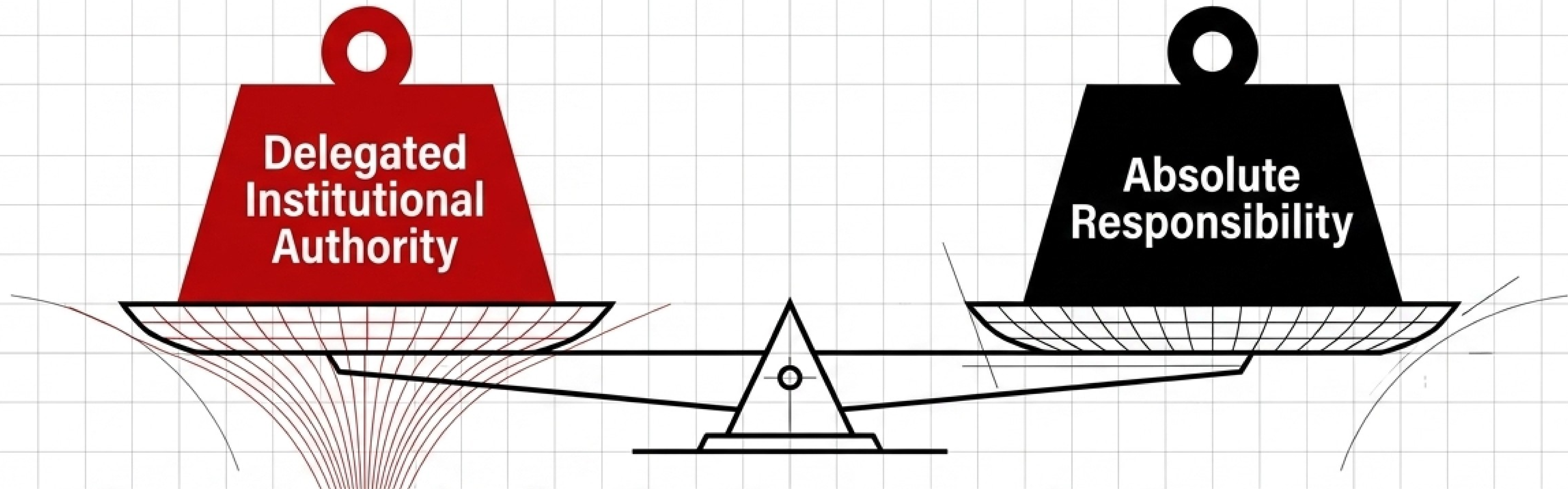
Yes

**Violation Complete.
Mandatory Termination.**

NO EXCEPTIONS:

- Mitigation based on “consent”, subordinate initiation, off-duty status, lack of direct supervision, or lack of proven favoritism is irrelevant.
- The breach is not the abuse of the conflict; the breach is the creation of the conflict. The employer must not wait for retaliation or litigation to prove the decision was unwise.

The Burden Rests Entirely on the Person Holding the Power



The Principle:

Equal disciplinary treatment is fundamentally unfair when the organization deliberately gave one participant authority over the other.

The Rule:

A subordinate expressing interest does not redistribute organizational authority. The duty to protect the integrity of the hierarchy follows the delegation of power.

The Action:

The senior employee must refuse. The greater the power, the greater the obligation to exercise restraint.

You Cannot Claim the Prestige of Leadership While Rejecting Its Boundaries

Power operates implicitly.

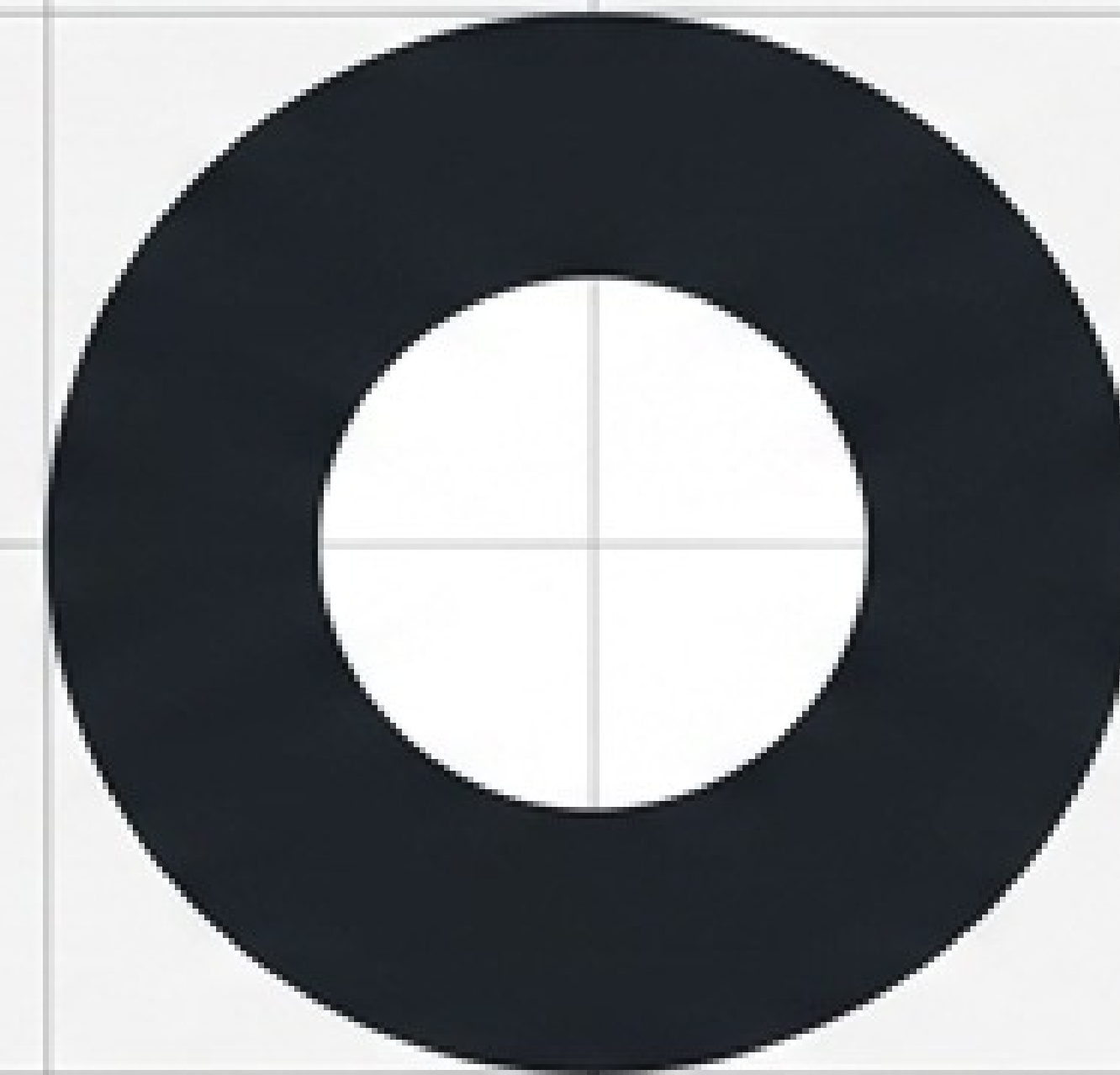
Geography and org charts do not shield informal influence.

The blast radius damages the

whole institution. Intimacy across hierarchies corrupts meritocracy and chills reporting.

HR remedies are illusions.

Disclosure and love contracts do not neutralize structural power.



Management authority is a position of institutional trust. You cannot claim the compensation, prestige, and influence of leadership while rejecting the professional boundaries required to preserve it.