



Context

From Coldplay's frontman joking about a couple dodging the Kiss Cam to Nestlé's former CEO being dismissed after secret affairs with subordinates—it's clear that love and work often intersect. While such headlines grab attention, they also raise important questions for employers: *What if this happens in my company? Can I do anything about it?*

This article explores how workplace relationships are treated under Belgian law, and what employers can (and cannot) do to safeguard a professional and productive environment.

Relationships at work are not illegal

In Belgium, there is no law or collective labor agreement that regulates or explicitly prohibits romantic relationships in the workplace. Employees are protected by privacy legislation, including the fundamental right to a private life. This means employers cannot simply ban such relationships. Even if a clause to that effect is included in work regulations, it will not be legally binding nor enforceable. Moreover, employees are also under no obligation to disclose a personal relationship – even when it involves a colleague.

But problems can arise...

While workplace relationships are not forbidden, they can sometimes affect the work environment.

For example:

- Couples engaging in inappropriate conduct during work hours or bringing personal disputes into the office while disturbing operations.
- Frequent arguments or visible tension between two employees undermining team productivity.
- A relationship between a manager and a subordinate creating (a perception of) a conflict of interests and concerns about performance evaluations, bonuses, or promotions.

In these situations, employer intervention may be required—not because of the relationship itself, but because of its impact on the workplace.



What employers can do

1. *Prevention is key, adopt a clear policy*

Rather than banning relationships, employers are encouraged to establish a clear, transparent policy. This may be incorporated into work regulations or issued as a standalone policy. For example, such a policy might:

- Require disclosure when one partner holds a supervisory role over the other.
- Ensure that managers are not the sole evaluators of their partner's performance.
- Impose objective criteria for promotions and bonuses to safeguard fairness.
- Provide channels for employees to report concerns, fostering a culture of openness.

2. When issues arise, Belgian employment law offers solutions

The existence of a romantic relationship is not, on its own, a valid reason for disciplinary action. Measures are only justified when behavior becomes inappropriate or when the relationship disrupts the business.

Concretely, when issues arise, employers may:

- Propose reassignment: Employees can be reassigned to another department, but only with their agreement. Unilaterally changing key employment conditions (e.g., salary, function) risks being considered an implicit dismissal.
- Issue warnings: If the conduct of the employee(s) becomes inappropriate or disruptive.
- Terminate employment: If the relationship results in poor performance or disrupts operations. Employers must be able to prove this to avoid claims of manifestly unreasonable dismissal.
- Dismiss for serious cause: In extreme cases, (e.g. indecent behavior during working hours or harassment following a breakup), dismissal without notice or compensation may be justified.



Conclusion

While employers cannot forbid love at work, they can—and should—manage its potential consequences. A proactive, legally sound policy will protect the company's interests without infringing on employees' rights.

Our Employment & Benefits Practice is closely monitoring these developments. If you have questions or wish to discuss this topic in further, please contact our team.



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