

# “that’s what she said”

a ford & harrison blog about the popular television series “the office”

## Let’s Get It On...

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### **Litigation Value: none now, but plenty in the making.**

Studio 54 was a nightclub in New York City with infamously loose rules related to sexual expression. Rumor has it that back-room rendezvous were the norm. Sabre/Dunder Mifflin’s Scranton office may be trying to give the club a run for its money.

Dwight Schrute reminded us that practically everyone in the office has had sex there at some point. Jim and Pam got it on last night. We’re not sure where they did the deed, but after imbibing during lunch, they almost hooked up in a cardboard box. Ryan actually extended an invitation for them to use his closet/office.

But Michael and Holly took home the award for the most outrageous behavior of the night. Yes, Michael got his wish, in spades. The two are back together, and they can’t keep their hands off each other for even one moment. According to Holly, she just can’t help herself due to Michael’s raw sexual energy.

The biggest laughs for me came when the office decided to have a PDA intervention for Michael and Holly. The two nodded in agreement as Gabe set out strict rules forbidding

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PDA, all the while entangled in a pose that would make the Buddha blush. When the message finally got through, Michael protested and proposed a compromise — designating a closet as a “hook-up zone.” The only limitation would be no “homers.” Dwight countered that three zones would be necessary to accommodate the employees’ needs. Dwight also requested clarification on whether the office would be pro or con masturbation. Michael decreed “pro.”

Sabre/Dunder Mifflin’s loose boundaries around office relationships may be a reflection of the times. Some sources [report](#) that dating among co-workers is on the rise. Approximately a third of the workforce has dated a co-worker at some point. Nevertheless, while the groping was consensual last night, the Office’s sexually charged atmosphere is undoubtedly an HR nightmare.

For one thing, consistently loose talk around the office can be evidence of harassment if it crosses the line with vulgar or crass remarks. Such banter can be evidence of harassment even if it isn’t directed at the employee who alleges to have been harassed. Over-spray counts. For example, [in one recent case](#), a federal appellate court found that routinely subjecting an employee to a crass radio talk show constituted evidence of harassment.

Further, the nature of relationships can change. Torrid romances often provide fertile ground for lawsuits once they turn tepid. A court isn’t precluded from finding that an employee was sexually harassed merely because the relationship initially started on good terms. For this reason, some employers require employees to sign “love contracts” when they engage in office romances. The contracts indemnify the company from a sexual harassment lawsuit. The effectiveness of such contracts is debatable, and any such policy should be carefully considered with the help of sound legal advice. However sound or not sound your company’s policy on office romances might be, one thing is for certain — it surely surpasses the policy at Sabre/Dunder Mifflin.