



I Need To Worry About Benefits For The Domestic Partners of My Employees? *Seriously!?!#*

Yes, Seriously. More and more, employers are recognizing the domestic partners of their employees. In some places, it has become law (or will be soon enough). Several states have expanded the legal rights available to domestic partners, civil unions and in some cases now even same-sex relationships. Colorado, Hawaii, Illinois, New Jersey, California, District of Columbia, Maine, Nevada, Oregon, Washington and Wisconsin, Connecticut, Delaware, New Hampshire, Rhode Island, Vermont, etc to just name a few. All of the states that allow for civil unions or domestic partnerships now also allow for same sex marriage, either through statute or court ruling. If it's in your state, you better know the rules.

**If it's not a requirement in your state, it's coming...
so you might as well get out ahead of the curve.**

In other states, it's necessary in order to maintain a competitive edge as a company.

An employee of a Westchester County Medical Facility in New York filed a class-action lawsuit in 2012 claiming that her spouse is entitled to the same medical coverage as the spouses of heterosexual employees. The facility has more than 1,200 employees. Its insurance plan is self-funded, with Blue Cross Blue Shield acting as the administrator. Self-funding plans are exempt from many state laws, including New York's Marriage Equality Act. It is up to such employers whether they want to cover same-sex spouses, or to use the federal definition of marriage to exclude them. Regardless of why the Medical Hospital opted to not offer Domestic Partnership benefits, they still had to spend hundreds of thousands of dollars defending their position.

Even if you win defending against one of these suits, the legal battle alone makes most employers lose. Not to mention the bad press and increased scrutiny on all other matters relating to your business that fall under the micro scope after a disclosure request for all your company files.

So what do you do if you decide to offer benefits? First you will need to determine how you will recognize your employees' partners; there are several areas that come to mind. Setting up these benefits to resemble the ones received by spouses is an ideal guide, as it levels the tables quickly and easily.

Have your Human Resources staff (or a member of McCloskey Partners team) take a look at the following key areas to be sure you are offering equal benefits to your employees with spouses, as well as to those with qualified domestic partners:

- **Health**
- **Dental**
- **Vision**
- **Life Insurance & Disability**

All of these concerns may seem a bit overwhelming for the small employer who simply wants to conduct business and be profitable. One lawsuit could put your day to day operations in jeopardy... even shut you down permanently.

Sometimes offering domestic partner benefits is simply good business, and ensures that you, as an employer, are prepared for the future and what it holds for relationship-recognition and same-sex couples in the workplace. In addition, employees whose domestic partners are included in their workplace benefits tend to worry less and value their employers more. Your organization can be seen as one that values diversity, simply by increasing your overall compensation package in this hotspot area.

For additional information or for questions you may have, contact:

**McCloskey Partners. Phone: 215-716-3035 ; Fax: 215-220-3422;
www.mccloskeypartners.com; e-mail Admin@mccloskeypartners.com.**

Find us on Facebook, Twitter, Pinterest and LinkedIn: McCloskey Partners.