

## **IHRPC Minutes for Discussions Regarding Domestic Partnership Benefits**

### **Excerpt – IHRPC Minutes 11/12/2009**

#### **5. Continued Discussion of Domestic Partnership Benefits Policies**

VD stated he had brought a resolution to City Council to consider eliminating policies allowing domestic partnership access to City benefits. VD stated other local companies/municipalities/governments are changing policies due to the right to marry in Vermont. VD stated domestic partnership is now obsolete.

NK asked to have the history of the City policy on domestic partnership, research on what other municipalities in Vermont policies allow for now the law has changed, brought for review to the Committee.

SB stated the policy and current affidavit used should be reviewed and the committee will evaluate what the City allows for right now. SB stated she wanted to know who would be excluded, what was the phase out time suggestions, and if there can be assistance for employees in obtaining other choices. SB stated she would like to know what the financial implications would be.

NK added she would like have the years included in the history request.

SB asked if there could be an issue of discrimination.

VD stated he was looking at leaning up City resources.

SL and SG agreed to present the information requested at the next meeting

### **Excerpt – IHRPC Minutes 01/20/2010**

#### **4) Continued Discussions, Domestic Partnership Benefits**

The Committee reviewed the materials provided.

VD stated that his goal was to consolidate and save on administrative tasks, and make into one program

SB stated that she believed that current employees, should there be a change, should be able to keep and maintain benefits being grandfather in.

SG stated to the Committee to keep in mind 2/3 of the employees that utilize this benefit are union members, and any changes would need to be negotiated. If any changes were to be made at this point they would only apply to non union employees. SB requested that in section 7.3 we add new language for the recently law changes applicable to VIPER benefits.

NF handed out an opinion prepared for discontinuing domestic partnership benefits (handout attached to minutes).

NF explained to the Committee that it is very difficult to research this topic due to the newness of Civil Marriage.

NF stated the conclusion is that you can discontinue the benefit, but only non union; you would have to negotiate with union employees.

VD stated that when this benefit started it was for same sex, and then other employees

wanted the benefit.

SB stated that the initial request came in by same sex, but other employees who felt they met the same guidelines wanted this benefit to apply to them as well.

SB stated that there were three options,

- Keep DP benefit and change the affidavit currently used,
- 2.a. - modify the policy discontinue, define time for non union employees and put on table next round for union negotiations,
- 2.b. - discontinue, but grandfather for those who currently have the coverage.

NK stated another option is to keep the benefit and do nothing  
Member of the public, EMS, ward three spoke, encouraging the Committee and Council to keep the benefit as is. EMS gave examples of why some may not want or are able to marry. EMS stated that with making a change to this benefit, it will define what type of employer the City of Burlington is, this could potentially effect future hires, retention, and recruitment. EMS stated that is getting into the private lives of employees.

VD stated he is looking to consolidate administrative functions

SL asked VD to explain further, as she did not see an administrative burden

VD stated that we can't keep hanging on to projects, programs needed to be fixed

SB stated that she agreed that looking at programs is good to do, and this was deserving. SB stated she is still open to looking at making the affidavit stronger.

VD stated with rising health care costs, something needs to go into place, and set a new standard, either get a job or get married.

VD motion to request staff to create a resolution to report back to council this following recommendation, the discontinuance of the domestic partnership benefit policy for non union employees, and to put on the table for future negotiations for the elimination of the DP benefits policy, discontinuation for non union employees will coincide with the time the issue is put on the table for union employees.

NK 2<sup>nd</sup> for discussion.

SG reminded the Committee there is no guarantee that this issue will be put on the table for future negotiations

Motion failed, 1:2, VD approved, SB & NK oppose

VD requested the State of Vermont's affidavit structure.

SB stated that should be brought to the next meeting

#### **Excerpt – IHRPC Minutes 02/03/2010**

#### **4. Continued Discussion, Domestic Partnership Affidavit Review**

The Committee reviewed the State of Vermont Domestic Partner Application and Policy. SB requested that SL as the HR Director to insert wording to strengthen the current affidavit being used for domestic partnership. NK stated that the State uses the word may, and by inserting that wording it may be a deterrent for falsification. VD stated that he was concerned that the City could be potentially footing the bills for domestic partners and their dependants that the City may not be responsible for. SB

stated that there needs to be better documentation required for proof of domestic partnership status. SB requested SL bring back to the Committee, for the next meeting, a new format of the affidavit, with both, requesting more documentation and adding a statement of falsification

**Excerpt – IHRPC Minutes 02/17/2010**

**4. Review New Language for Domestic Partnership Form/Affidavit**

SB asked if there were any other changes to the form other than #10.

SL responded that #9 was also changed to satisfy the new VIPER requirements. SB stated that she felt the form was satisfactory.

VD move to approve the present Domestic Partnership Affidavit form as revised. NK 2<sup>nd</sup>. Motion passed 3:0

SB stated that the form must go to the council and requested that a copy of the minutes from the discussions, showing the votes, as well as a statement from Human Resources about domestic partnership and the process to amend the affidavit, go along with the adopted form to the Council. SB asked that SL check with the City Attorney's to make sure that this did not need to go to "full council" or if can go on the consent agenda.