

AASP Assists California Members Seeking Equal Retirement Benefits

AASP Asks University to Give Retirement Benefits to Heterosexual Partners

AASP Executive Director Thomas F. Coleman recently sent a letter to the University of California Board of Trustees asking that heterosexual retirees no longer be excluded from receiving domestic partner benefits. It was sent to reinforce a similar request made by AASP member Vic Pelton.

In 1997, the Trustees voted to expand the University's health benefits plan – which was then limited to spouses of employees and retirees – to cover domestic partners as well. However, as a cost saving device, a decision was made to limit participation to same-sex domestic partners and to exclude unmarried heterosexual couples.

At the time, AASP (then known as Spectrum Institute), told the Trustees that the new program would be inconsistent with the uniform practice by local governments in California to adopt gender-neutral domestic partner programs. The Trustees were also advised that the state Labor Commissioner had ruled that limiting benefits to same-sex couples would violate state law prohibiting sexual orientation discrimination.

Coleman's recent letter to the Trustees notes that expanding the benefits program to include heterosexuals would be appropriate now, considering that:

- The State Legislature gives domestic partner benefits to its own employees, regardless of gender;
- Heterosexual retirees may register as partners with the Secretary of State;
- Heterosexual retirees of the California State University system are eligible for domestic partner benefits;
- All other state agencies under the jurisdiction of the Governor and the Legislature provide domestic partner benefits to heterosexual retirees.

Coleman's letter stresses that by adopting gender-neutral benefits for retirees, UC's program will conform with state law, and will show respect for family diversity and honor the right of personal privacy of retirees. ▲▲



Vic Pelton and Jean Lovetang

January 21, 2002

Ms. Judith Boyette
Associate Vice President
Human Resources and Benefits
University of California

Dear Ms. Boyette,

I retired from the Lawrence Livermore National Laboratory in 1990 and receive my retirement benefits through your office. I have had an opposite sex Domestic Partner for over 18 years. We are registered with the Secretary of State (see attached declaration) and qualify as Domestic Partners under California Family Code, Section 297. Since the University offers benefits to same sex Domestic Partners, I believe that under the terms of AB25 I should be able to obtain benefits for my partner.

All other state agencies and departments and all other state-operated institutions of higher learning provide health and other benefits to domestic partners of retirees. It appears that the University of California is the only agency of state government which denies such benefits to retirees with an opposite-sex domestic partner. This does not seem fair to me.

But perhaps my information is out of date. It would be a pleasure to learn that the UC system has recently updated its benefits program to make it consistent with the Secretary of State's registration system and with the policy and practices of all other state agencies. I'm sure the Regents never intended to deprive UC retirees of benefits which all other state employees and retirees receive.

Please advise what form I can fill out to obtain these benefits. Thank you.

Sincerely,
V.P. Pelton