

## Domestic Partner Benefits

Effective January 1, 2006, or upon such date thereafter these provisions are adopted by the union either through the living contract or through negotiations, the Rochester City School District will change its eligibility requirements for certain benefits plans to allow coverage for current domestic partners.

The benefits covered under this arrangement are those which can be legally provided. See Exhibit A.

In order to qualify for domestic partner benefits, the following attributes of a domestic partner relationship are all required:

- a) The individuals have an exclusive mutual commitment, similar to that of marriage, as evidenced by a Declaration of Domestic Partnership;
- b) The individuals are each other's sole domestic partner and intend to remain so indefinitely;
- c) Neither partner is legally married nor can be by law;
- d) Neither individual is related by blood to a degree of closeness which would prohibit legal marriage in the state in which we legally reside;
- e) Both partners are at least 18 years of age and are legally competent to contract;
- f) The individuals are currently residing together and have resided together in a common household for at least eighteen (18) consecutive months and intend to reside together indefinitely;
- g) At least eighteen (18) months have elapsed since the termination of a Declaration of Domestic Partnership, Affidavit of Domestic Partnership, or its equivalent in any jurisdiction;
- h) Both individuals share joint responsibility for their common welfare and financial obligations demonstrated by the existence of a domestic partner agreement and at least two other items showing joint responsibility, such as joint bank accounts, joint deed, mortgage agreement or lease, joint credit account or other liability, joint ownership of a motor vehicle, designation of domestic partner as primary beneficiary for life insurance or retirement contract (s), designation of domestic partner as primary beneficiary of will, durable property or health care power of attorney, co-parenting agreement, or an adoption agreement.

When a domestic partnership relationship, as defined herein, ceases to exist because it fails to have one or more of the necessary elements, the employee must notify RCSD Benefits Department in writing through a Statement of Termination of Domestic Partnership within 30 days. The benefit coverage for the former domestic partner will terminate immediately upon notification. Failure to report termination of a domestic partner relationship constitutes a false claim for benefits and will subject the employee to possible sanctions, which could include termination of employment.

Employees who fraudulently enroll a domestic partner are held financially and legally responsible for any benefits paid and are subject to disciplinary action. Such employees will forfeit future coverage and could include termination of employment.

There will be an eighteen month waiting period from the termination date of your previous domestic partner's coverage before you may again enroll a domestic partner.

Note: Policy added October 2004

## **Attachment A**

The benefits covered under this arrangement include:

1. Health Insurance
2. Dental Insurance
3. Family Illness Days (up to 10 days per year may be used to care for a spouse, parent or child who is ill).
4. Bereavement Leave (5 days for the death of a spouse, child or parent; 3 days for other relatives).