



PUBLIC NOTICE

The City of Beloit City Council will hold a workshop on Monday, August 5, 2013, at 5:30 p.m. in the Forum, located on the first floor of City Hall, 100 State Street, Beloit, WI 53511. The purpose of the workshop is for further discussion on extending benefits to City employees who are **registered same sex couples**.

Following this workshop, or at 6:30 p.m., the Council will hold another **workshop** in the Forum Conference Room on the first floor of City Hall, to review the agenda of the regular 7:00 p.m. City Council meeting.

Larry N. Arft, City Manager

Dated: July 31, 2013
Rebecca Houseman LeMire
City Clerk
www.ci.beloit.wi.us

** Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit WI 53511.

**RESOLUTION
APPROVING BENEFITS FOR EMPLOYEES
IN SAME-SEX RELATIONSHIPS WHO MEET ELIGIBILITY REQUIREMENTS**

WHEREAS, the City of Beloit is an organization committed to non-discrimination, as expressed in applicable City ordinances and the City's non-discrimination policies regarding provision of services and employment; and

WHEREAS, those non-discrimination ordinances and policies include a commitment not to discriminate on the basis of sexual orientation or family status; and

WHEREAS, many current employers including the State of Wisconsin, several other Wisconsin municipalities, institutions of higher education, and private sector employers have extended employee benefits to same gender domestic partners and their dependents; and

WHEREAS, the City of Beloit compensates employees through more than just wages and salary by providing a range of benefits to the employees, including health care, prescription drug coverage, dental insurance, and other employee benefits offered consistent with the traditional plan structure including opposite gender spouses and dependents of the City's employees; and

WHEREAS, extension of benefits including health care, prescription drug coverage, dental insurance, and other employee benefits not currently required by law to be extended to same gender domestic partners and their dependents would increase the attractiveness of the City's employment benefit package, thus facilitating successful employee recruitment and retention; and

WHEREAS, Wis. Stats. Sec. 40.02(21d) provides a definition of "domestic partners" for Wisconsin Retirement System and certain State health insurance benefit purposes and Wis. Stats. Sec. 770.01(1) also defines that term for the purposes of the Wisconsin Domestic Partnership Registry; and

WHEREAS, the Beloit City Council finds that it is in the best interest of the City to extend employment benefits to domestic partners as that term is defined in Wis. Stats. 770.01(1).

NOW, THEREFORE, BE IT RESOLVED that the City of Beloit shall allow access to and offer health care, prescription drug coverage, dental insurance, and other employee benefits to domestic partners of City employees in the same fashion such benefits are extended to spouses of married City employees. Such benefits shall be provided to the extent allowed by the IRS and otherwise allowed by law, specifically including any amendments or new enactments of Wisconsin laws relating to domestic partners, civil unions or same sex marriages; and should such amendments or enactments occur, such benefits shall be extended as allowed therein; and

BE IT FURTHER RESOLVED that the City will extend health care, prescription drug coverage, dental insurance, and other employee benefits to all qualifying domestic partners of City employees according to the following guidelines:

1. The definition of domestic partnership of same gender couples used by the City of Beloit will be that used by Wis. Stats. Sec. 40.02(21d) and 770.01(1).

2. The City of Beloit shall require verification of current valid domestic partner registration pursuant to Wis. Stats. Chapter 770, the Domestic Partnership Act, or the documentation required by any subsequent change in state law.
3. The provision of these benefits will be extended to the dependents of those same gender domestic partners as they would be to the dependents of legally married employees under the then current provision for dependent coverage in the relevant benefit program.
4. The benefits provided to domestic partners and their dependents shall be as nearly equal as possible to those offered to legally married partners, including non-insurance benefits such as funeral leave for the death of a domestic partner and use of sick leave to care for a domestic partner.

BE IT FURTHER RESOLVED that this resolution shall become effective on January 1, 2014.

Adopted this 5th day of August 2013.

City Council of the City of Beloit

Charles M. Haynes, President

Attest:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Discussion Regarding Providing Employee Benefits, Particularly Group Health Insurance, to Same Sex Couples that Meet Certain Standards

Date: August 5, 2013

Presenter(s): Larry N. Arft and Florence Haley

Department(s): City Manager and Human Resources

Overview/Background Information:

The issue of providing group health benefits and equalizing other personnel related fringe benefits for same sex couples is a contemporary topic of discussion throughout the United States. Many states have already statutorily permitted full marriage between committed same sex couples, and other states have either a lesser variant recognizing some type of partnership arrangement. This trend is likely to continue. In Wisconsin, we have a constitutional amendment which prohibits recognition of any type of same sex partnership or marriage (including legal marriages from other states). Despite the constitutional amendment, a registry has been established where committed same sex couples can register their relationship.

Many communities around the United States, including within the State of Wisconsin as well as numerous private corporations, have been moving to equalize benefits among all committed couples, be they in a more traditional marriage, or same sex couples that are recognized as having a committed relationship and living together in a single domestic household. The recent Supreme Court decision has shed additional light on the issue of equal protection for these individuals.

Key Issues (maximum of 5):

1. Although the issue of same sex marriage has been, and is still a significant component of the culture wars which seem to rage on a regular basis in the United States, the trends seem to be moving each year toward a point where there will be some recognition of committed same sex couples forming a permanent relationship equal to marriage, which has existed for centuries for heterosexual couples.
2. The recent Supreme Court decision places additional focus on the issues of equal protection and the need to treat all employees fairly and equitably.
3. Many cities in the State of Wisconsin, along with numerous private corporations, have already made the adjustment to recognize same sex couples living in domestic households, including our neighboring City of Janesville.
4. While the City has no list or idea of how many such couples may currently be employed, we do believe in the future this could be an issue in both recruiting and retaining employees and is an issue that must be addressed at some time.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- **Apply sound, sustainable practices to promote a high quality community through historic preservation, community revitalization and successful new development.**

We do not anticipate any impact on implementation of the Strategic Plan should this policy be changed.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels**
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
- **Reduce dependence on activities that harm life sustaining eco-systems**
- **Meet the hierarchy of present and future human needs fairly and efficiently**

Once again, we do not foresee any impact on the City's sustainability program or its green initiatives as a result of any proposed change.

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

Action required/Recommendation:

It is the recommendation of the City Manager that the City amend its policies to recognize same sex couples that are listed on the Wisconsin Registry. Such couples would be afforded the same benefit structure as is provided to heterosexual couples, including the ability to participate in the City's group health insurance plan, as well as have equal benefit eligibility for family and medical leave, sick leave for dependency care, and funeral leave rights.

Fiscal Note/Budget Impact:

It is virtually impossible to predict the budget impact of this change. Other jurisdictions have placed it at somewhere less than 1% of health costs. At the current time, we have no idea whether we have any same sex couples within the corporate structure that would access the benefit. Our health care consultant has expressed some concern about what's called "adverse selection" by same sex partners. This phenomenon would occur because the City still does not charge a premium for employee participation, including dependent coverage, so that some same sex partners may opt out of their employer's coverage in order to take advantage of the City's attractive benefit program.

Once again, only couples that are eligible would be able to make this selection and we do not have a hard number on how many such individuals may opt into coverage should it be extended to same sex couples. The cost for extending other benefits would be relatively minimal and generally reflected in lost time due to the use of leave benefits as opposed to out of pocket expense.