

5-11-98

Domestic Partners

Oakland to Extend Benefits To Heterosexual Partners

SAN FRANCISCO—The city of Oakland, which was hit with a state Labor Commissioner discrimination complaint, has agreed to extend domestic partner benefits to partners of heterosexual partners, attorneys told BNA.

State Labor Commissioner Jose Millan last November ordered Oakland to provide domestic partner benefits to partners of heterosexual city employees as it provides to same-sex partners or be sued by the state for discrimination (*In Re: Majid Y. Ayyoub v. City of Oakland*, Calif DIR, No. 99-02937 11/14/97).

The City Council approved April 21 offering benefits to opposite sex partners of employees who are registered as domestic partners, said Deputy City Attorney Wendy Rouder. Employees can enroll starting July 1.

But still to be addressed is repayment of \$3,500 to engineer Majid Ayyoub and \$3,600 to firefighter Allan Edwards, who also filed a complaint with the Labor Commissioner over the city policy, for out-of-pocket medical and insurance costs, Thomas Coleman, a Los Angeles attorney representing the workers, said May 1.

"The real issue now as part of the future is finding affordable coverage for the employees," Coleman told BNA. Majid "would have to pay \$230 a month contribution out of his paycheck to add [his partner] Sandy [Washburn] to the Prudential plan. He could get a plan for less than that on his own. That's why so few people have signed up."

Millan last November ordered Oakland to extend employer-paid medical insurance benefits provided to same-sex registered domestic partners to all registered domestic partners, reimburse Ayyoub for his out-of-pocket costs for providing such coverage, and to cease and desist from any further discrimination.

Edwards put his union grievance on hold pending a determination on his complaint to the Labor Commissioner, Coleman said.

The Department of Industrial Relations has been in contact with the Oakland city attorney about the issue, DIR spokesman Rick Rice said. Now it is "just a question of figuring out how much money is due the complainant for the insurance premiums not paid because of Oakland's old policy not to cover domestic partners of the opposite sex," Rice told BNA.