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NY Judge Says Same-Sex Domestic Partner Benefits Don't Violate Federal Laws

A federal judge has ruled that company policies that extend domestic partner benefits to same-sex couples only do not violate federal civil rights laws banning sex discrimination. In May 1998, Paul Foray, a heterosexual employee of Bell Atlantic with a female domestic partner, sued the company alleging that its policy of covering same-sex partners of employees discriminated against him because he is a man. Had he been a woman, Foray argued, he would have been able to receive the benefits for his female partner.

U.S. District Judge Robert Patterson rejected the arguments, saying, "A woman with a female domestic partner is differently situated from Foray in material respects because under current law, she, unlike Foray, is unable to marry her partner. The difference in the ability to marry, which does not bear on the quality of stability of the relationship, is material in the context of a compensation plan which grants benefits to employees' chosen partners." Thomas F. Coleman, executive director of the Los Angeles-based American Association for Single People, called the ruling a "slap in the face to unmarried workers throughout America." Bell Atlantic issued a statement saying it was pleased with the verdict.