



University Senate TRANSMITTAL FORM

Senate Document #:	10-11-34
PCC ID #:	N/A
Title:	Request to Review Domestic Partner Benefits
Presenter:	Vincent Novara, Chair of the Senate Committee on Equity, Diversity, and Inclusion (EDI Committee)
Date of SEC Review:	11/29/2011
Date of Senate Review:	12/08/2011
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>On November 23, 2010, the Senate Executive Committee (SEC) charged the Equity, Diversity & Inclusion (EDI) Committee with reviewing the issue of domestic partner benefits at the University. The SEC asked EDI to make recommendations on whether the level of benefits currently provided at the University of Maryland is appropriate. Since, for the purposes of benefits, the State defines a “domestic partner” as an individual in a relationship with an employee who is the same-sex as the employee, the committee only reviewed the issue of extending benefits to same-sex domestic partners. The EDI Committee recognizes that access to benefits for same-sex domestic partners is an issue of equity and fairness, as same-sex domestic partners are not legally eligible to marry within the State of Maryland, while opposite-sex couples are able to marry and access spousal benefits.</p>
Relevant Policy # & URL:	<p>EXAMPLES OF RELATED POLICIES (with definitions/mentions of “spouse” or “immediate family” coverage) include, but are not limited to:</p> <p>BOR VII- 7.45 - POLICY ON SICK LEAVE http://www.usmh.usmd.edu/regents/bylaws/SectionVII/VII745.html</p> <p>BOR VII - 7.50 - USM POLICY ON FAMILY AND MEDICAL LEAVE FOR EXEMPT AND NONEXEMPT STAFF EMPLOYEES http://www.uhr.umd.edu/documents/BOR_VII750_FMLA.pdf</p> <p>BOR VII - 2.10 - POLICY ON EMPLOYMENT OF MEMBERS OF THE SAME FAMILY http://www.president.umd.edu/policies/vii-210.html</p>

	<p>BOR VII-4.20 - USM POLICY ON TUITION REMISSION FOR SPOUSES AND DEPENDENT CHILDREN OF REGULAR AND RETIRED FACULTY AND STAFF EMPLOYEES OF THE UNIVERSITY SYSTEM OF MARYLAND http://www.usmh.usmd.edu/regents/bylaws/SectionVII/VII420.html</p> <p>UMCP II-2.31 - POLICY ON FAMILY AND MEDICAL LEAVE FOR FACULTY http://www.president.umd.edu/policies/docs/II231a.pdf</p> <p>UMCP VII-4.20(A) UMCP PROCEDURES CONCERNING TUITION REMISSION FOR SPOUSES AND DEPENDENT CHILDREN OF FACULTY AND STAFF http://www.president.umd.edu/policies/vii420a.html</p>
<p>Recommendation:</p>	<p>The EDI Committee recommends that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, should be expanded to include same-sex domestic partners. The definition of “immediate family” should, in all related policies, include the phrase “or same-sex domestic partner” wherever the word “spouse” is found.</p> <ol style="list-style-type: none"> 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses. 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee’s immediate family and medical appointments, examinations, or treatments for the immediate family member with an accredited, licensed, or certified medical provider. 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee’s immediate family. 4) The inclusion of same-sex domestic partners in policies regarding Family and Medical Leave should be executed, paralleling policies mandated by Federal Law. 5) University policies related to nepotism should be extended to include same-sex domestic partners. 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

<p>Committee Work:</p>	<p>The EDI Committee was asked to investigate whether University of Maryland System-wide benefits and policies should be extended to same-sex domestic partners. The EDI Committee reviewed, researched, and discussed the issue of offering USM benefits to same-sex domestic partners at the University over a two-year period. EDI reviewed policies at peer institutions, met with members of the President’s Legal Office, researched related legislative actions in the Maryland General Assembly, and gauged the level of support from internal University organizations, as well as from peer groups at other USM institutions. The committee determined that employees of the University of Maryland typically have access to State benefits (such as health benefits including medical, prescription, dental, term life insurance, long-term care insurance, vision coverage, mental health & substance abuse, personal accident & dismemberment), System-wide benefits (such as tuition remission, sick leave, bereavement leave, and Family & Medical Leave), and Campus-based benefits (such as the use of gyms, libraries, and other campus facilities). While most employees can usually extend State benefits coverage and Campus-based benefits coverage to their same-sex domestic partners, it was determined that employees cannot currently access System-wide benefits for same-sex domestic partners.</p>
<p>Alternatives:</p>	<p>The University could continue to provide its current level of coverage, allowing only legally recognized opposite-sex spouses and same-sex spouses from marriages performed in other jurisdictions access to certain system benefits and policy coverage.</p>
<p>Risks:</p>	<p>There are no associated risks.</p>
<p>Financial Implications:</p>	<p>The University does not hire employees based on relationship status; any associated financial costs would fall within in the budget(s) already allocated for USM employee benefits.</p>
<p>Further Approvals Required: (<i>*Important for PCC Items</i>)</p>	<p>Senate Approval, Presidential Approval, Chancellor and Board of Regents Approval.</p>

Senate Equity, Diversity, & Inclusion (EDI) Committee
Senate Document 10-11-34
Report on the Request to Review Domestic Partner Benefits
November 2011

BACKGROUND

Extending employee benefits to domestic partners at the University of Maryland is an issue that has been discussed on various levels over the past twenty years. A history of the issue is provided in Appendix One.

On November 23, 2010, the Senate Executive Committee (SEC) charged the Equity, Diversity & Inclusion (EDI) Committee with reviewing the issue of domestic partner benefits and asked EDI to make recommendations on whether the level of benefits currently provided at the University of Maryland is appropriate. Since, for the purposes of benefits, the State defines a “domestic partner” as an individual in a relationship with an employee who is the same-sex as the employee, the committee only reviewed the issue of extending benefits to same-sex domestic partners. This definition was also verified with the Senate Office and the Chair of the Council of University System Staff (CUSS). The EDI Committee recognizes that access to benefits for same-sex domestic partners is an issue of equity and fairness, as same-sex domestic partners are not legally eligible to marry within the State of Maryland, while opposite-sex couples are able to marry and access spousal benefits.

The 2011 Maryland State Employees and Retirees health benefits guide states that same-sex domestic partners are eligible for health benefits at the University of Maryland if they meet the following requirements: “Domestic Partner” means an individual in a relationship with an Employee or Retiree who is the same sex as the Employee or Retiree, if both individuals:

- are at least 18 years old;
- are not related to each other by blood or marriage within four degrees of consanguinity under civil law rule;
- are not married, in a civil union, or in a domestic partnership with another individual;
- have been in a committed relationship of mutual interdependence for at least 12 consecutive months in which each individual contributes to some extent to the other individual’s maintenance and support with the intention of remaining in the relationship indefinitely; and
- share a common primary residence.

Additionally, the dependent children of an employee’s same-sex domestic partner are also eligible for health benefits, if the dependent child meets certain criteria (the same criteria for dependent children). Thus, this is the definition that the EDI Committee has identified for determination of who should be eligible for benefits at the University.

Previously, the SEC charged the 2010-2011 Senate Staff Affairs Committee to work with CUSS on recommending expansion of system-wide benefits to same-sex domestic partners. On September 17, 2010, the Board of Regents (BOR) adopted a resolution to comply with the recent Attorney General’s opinion regarding the recognition of same-sex marriages performed in other jurisdictions. The resolution allows same-sex *spouses*, retroactive to July 1, 2010, to be eligible for all spousal University System of Maryland (USM) benefits, notably tuition remission, sick leave, family and medical leave, and bereavement leave. The resolution also applies to

USM's nepotism policy. The Staff Affairs Committee recognized that this resolution applies only to same-sex marriages, and not to other domestic partnerships. The committee concurred that the Attorney General was courageous in his opinion of recognizing same-sex marriages valid in other states, because it does allow for the expansion of benefits to some employees on campus. However, the committee determined that the BOR's resolution did not comprehensively address the issue that CUSS and the Staff Affairs Committee were pursuing. Thus, the Staff Affairs Committee asked for this issue to continue to be reviewed by the Senate.

The EDI Committee was therefore asked to investigate whether these benefits should also be extended to same-sex domestic partners. Specifically, the SEC asked the committee to:

- Consult with the President's Legal Office on the legal aspects of this issue, and why the Board of Regents chose the specific coverage for its resolution.
- Consult with the Office of Human Resources and the Office of LGBT Equity on the scope of this issue at the University.
- Review the current and past recommendations on the expansion of benefits to domestic partners.
- Compare our existing benefits to those at our peer institutions.
- Research and review the practice known as "Grossing Up," which has been used by some businesses to make up for the income tax burden of domestic partner benefits and to determine whether it might be a viable option for the University.
- Work with the President's Commission on Lesbian, Gay, Bisexual, and Transgender Issues, Chaired by Tanner Wray, to potentially develop a resolution for University of Maryland College Park that would more fully address the needs of domestic partners (sick leave, tuition remission, family medical leave, and nepotism).

CURRENT SITUATION

As of January 2007, University of Maryland College Park employees may choose to designate a domestic partner as a person eligible to receive campus-based privileges.

As of July 1, 2009, same-sex domestic partners are eligible for health benefits offered by the State of Maryland Employee Benefit Program. "Domestic Partner" is defined in the Maryland State Employees and Retirees Health Benefits Guide as "an individual in a relationship with an Employee or Retiree who is the same sex as the Employee or Retiree, if both individuals are at least 18 years old; are not related to each other by blood or marriage within four degrees of consanguinity under civil law rule; are not married, in a civil union, or in a domestic partnership with another individual; have been in a committed relationship of mutual interdependence for at least 12 consecutive months in which each individual contributes to some extent to the other individual's maintenance and support with the intention of remaining in the relationship indefinitely; and share a common primary residence."

As of February 23, 2010, same-sex marriages performed in other jurisdictions are recognized in the State of Maryland. As of July 1, 2010, spouses of same-sex marriages performed outside of Maryland are eligible for USM benefits.

However, system-wide benefits, such as sick leave, bereavement leave, tuition remission, and family and medical leave, continue to be unaddressed for same-sex domestic partners.

COMMITTEE WORK

The 2010-2011 EDI Committee met on five separate occasions to review, research, and discuss the issue of offering USM benefits to same-sex domestic partners at University of Maryland. The following documents, provided by the SEC, were reviewed and discussed (combined as Appendix Two):

- Charge of the SEC to the EDI Committee
- Original letter of request from the Staff Affairs Committee
- Draft of proposal from the Office of Lesbian, Gay, Bisexual, and Transgender Equity
- Charge of the SEC to the Staff Affairs Committee
- Response from the Staff Affairs Committee to the SEC
- Human Rights Campaign (HRC) document entitled "Domestic Partner Benefits: Grossing Up to Offset Imputed Income Tax"

In addition, the committee researched and reviewed the following documents:

- An American Association of State Colleges and Universities 2007 policy brief on domestic partner benefits (http://www.aascu.org/policy_matters/pdf/domestic_partners07.pdf)
- An updated list of U.S. colleges and universities offering domestic partner health benefits compiled by the Human Rights Campaign (Appendix Three)
- The 2001 report of the LGBT Issues Task Force of the USM Diversity Network (<http://www.president.umd.edu/PCLGBT/aboutus/archive/DPBenefits.html>)
- The 2010 Attorney General's Opinion (<http://www.oag.state.md.us/Opinions/2010/95oag3.pdf>)

The Chair of the 2010-2011 EDI Committee also met with the Chair of the President's Commission on LGBT Issues, as well as with General Counsel in the President's Legal Office. The director of the LGBT Equity Office also met with the committee to provide a history of the issue and an overview of existing policies at our peer institutions. The committee conducted further research about what benefits have been extended to same-sex domestic partners at our peer institutions (Appendix Four).

The committee also discussed and reviewed documents related to the practice of "grossing up," which some companies have implemented to account for the income tax burden of domestic partner benefits. For federal tax purposes, the employer's contribution towards health insurance coverage for same-sex partners must be reported as taxable wages earned. Some employers have increased or "grossed up" employee's wages to compensate for the additional taxes.

During the 2010-2011 EDI Committee's review of this issue, legislation that would allow same-sex marriage advanced in the Maryland General Assembly. If passed, same-sex domestic partners would have been given the option to marry in the State of Maryland and, as a result, receive USM benefits. This would have negated the need for the EDI Committee to recommend expansion of USM benefits to same-sex domestic partners.

The bill cleared the Senate, but unfortunately stalled in the House of Delegates. The House voted on Friday, March 11, 2011, to send the bill back to the Judiciary Committee. While the issue could potentially be reintroduced during the 2011-2012 legislative session, there is no guarantee that this bill will re-surface. Therefore, the 2010-2011 EDI Committee voted in favor

of moving forward with drafting a resolution expanding system benefits and policy coverage (including sick leave, bereavement leave, family and medical leave, tuition remission, and nepotism) to same-sex domestic partners. As a result of the stalled legislation in the Maryland General Assembly, the 2010-2011 EDI Committee requested and received more time from the SEC to continue investigating this issue and to develop the resolution (Appendix Five). This issue carried-over to the 2011-2012 academic year.

The EDI Committee decided that an essential aspect of this process is the recognition of support and endorsement from other entities that have been integrally involved in the effort to secure expansion of benefits and relevant policy coverage to same-sex domestic partners over the years. Thus, the committee drafted a letter of support to be endorsed by many interested entities on campus and throughout USM.

Upon dissemination of this letter, the 2011-2012 EDI Committee received a number of supportive responses and endorsements from the following groups (Appendix Six):

- The Lesbian, Gay, Bisexual, and Transgender Equity Center
- The Office of Diversity Education and Compliance
- The Office of the Associate Provost for Equity and Diversity
- The Equity Council
- The Consortium on Race, Gender, and Ethnicity
- The Lesbian, Gay, Bisexual, and Transgender Studies Program
- The President's Commission on Women's Issues
- The President's Commission on Lesbian, Gay, Bisexual, & Transgender Issues
- The President's Commission on Ethnic Minority Issues
- The Senate Staff Affairs Committee
- The Senate Student Affairs Committee
- The Senate Faculty Affairs Committee
- The Office of Multicultural Involvement and Community Advocacy; LGBT Student Involvement and Advocacy
- The LGBT Faculty and Staff Association
- The Graduate Student Government (GSG)
- The Student Government Association (SGA)
- Peer Pride; a mentoring program for freshmen LGBTQ students
- The ONE Project; a First-Year Experience Program for LGBTQ and ally students
- HAMSA; a Jewish LGBTQA Student Organization
- Out in Science, Technology, Engineering, and Math at Maryland (oSTEM)
- The Council of University System Staff (CUSS)
- Frostburg State Faculty Senate
- Salisbury University Faculty Senate

On November 14, 2011, the 2011-2012 EDI Committee voted to forward this report and its recommendations to the Senate Executive Committee (SEC) for consideration of Senate action.

RECOMMENDATIONS

The EDI Committee upholds that the level of benefits currently provided to employees at the University of Maryland is not appropriate.

At the present time, in order for the University of Maryland to support equity and fairness in the workplace, keep up with our peers, and remain competitive in attracting a diverse workforce, the EDI Committee recommends that the following be presented to the President in the form of a resolution from the University Senate. If appropriate, the President could consider forwarding the recommendations to the Chancellor and the Board of Regents:

Coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, should be expanded to include same-sex domestic partners. The definition of "immediate family" should, in all related policies, include the phrase "or same-sex domestic partner" wherever the word "spouse" is found.

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family and medical appointments, examinations, or treatments for the immediate family member with an accredited, licensed, or certified medical provider.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding Family and Medical Leave should be executed, paralleling policies mandated by Federal Law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

With the current State budget deficit, coupled with no salary increases for three years and mandatory furlough days, the EDI Committee recommends that the University not adopt the practice of "Grossing Up" for same-sex domestic partners at this time. If the University extends system benefits to all domestic partners, then perhaps this might be a more equitable option at that time and should be revisited.

EXAMPLES OF RELATED POLICIES (with definitions/mentions of "spouse" or "immediate family" coverage) include, but are not limited to:

❖ **Board of Regents Policies**

VII- 7.45 - POLICY ON SICK LEAVE

(Approved by the Board of Regents December 5, 1997)

<http://www.usmh.usmd.edu/regents/bylaws/SectionVII/VII745.html>

VII - 7.50 - USM POLICY ON FAMILY AND MEDICAL LEAVE FOR EXEMPT AND NONEXEMPT STAFF EMPLOYEES

(Approved by the Board of Regents, August 27, 1993; Amended April 16, 2004; Amended October 22, 2004, Amended June 18, 2010)

http://www.uhr.umd.edu/documents/BOR_VII750_FMLA.pdf

VII - 2.10 - POLICY ON EMPLOYMENT OF MEMBERS OF THE SAME FAMILY

(Approved by the Board of Regents, February 28, 1992; Amended December 12, 2008)

<http://www.president.umd.edu/policies/vii-210.html>

VII-4.20 - USM POLICY ON TUITION REMISSION FOR SPOUSES AND DEPENDENT CHILDREN OF REGULAR AND RETIRED FACULTY AND STAFF EMPLOYEES OF THE UNIVERSITY SYSTEM OF MARYLAND

(Approved by the Board of Regents on January 11, 1990; Amended by the Board on May 31, 1990; Amended February 28, 1992, Amended by the Board on August 24, 2001; Amended by the Board on December 7, 2001; Amended by the Board on August 23, 2002; Amended by the Board on December 6, 2002; Amended by the Board on June 27, 2003)

<http://www.usmh.usmd.edu/regents/bylaws/SectionVII/VII420.html>

❖ **University of Maryland College Park Policies**

II-2.31 - POLICY ON FAMILY AND MEDICAL LEAVE FOR FACULTY

(Approved by the Board of Regents, October 6, 1995)

<http://www.president.umd.edu/policies/docs/II231a.pdf>

VII-4.20(A) UMCP PROCEDURES CONCERNING TUITION REMISSION FOR SPOUSES AND DEPENDENT CHILDREN OF FACULTY AND STAFF

(Approved by the President August 1, 1991)

<http://www.president.umd.edu/policies/vii420a.html>

- ❖ **Exempt Memorandum of Understanding** (entered into by the University of Maryland, College Park and the American Federation of State, County and Municipal Employees, Council 92, AFL-CIO for all regular full-time and part-time employees in the Exempt bargaining unit)

http://www.uhr.umd.edu/documents/2010_Exempt_Memorandum_of_Understanding.pdf

Article 7. Tuition Remission

Section 9. Sick Leave

Section 11. Leave Usage Priority

Section 14. Critical Care Leave

Section 21. Bereavement Leave

Section 25. Family and Medical Leave (FMLA)

- ❖ **Nonexempt Memorandum of Understanding** (entered into by the University of Maryland, College Park and the American Federation of State, County and Municipal Employees, AFL-CIO, and has as its purpose the promotion of harmonious relations between the University and the employees in the Nonexempt bargaining unit and its representatives)

http://www.uhr.umd.edu/documents/2010_Nonexempt_Memorandum_of_Understanding.pdf

Article 7. Tuition Remission
Section 9. Sick Leave
Section 14. Critical Care Leave
Section 22. Bereavement Leave
Section 26. Family and Medical Leave (FMLA)

APPENDICES

Appendix One: History of Domestic Partner Benefits Issue at University of Maryland

Appendix Two: Charge from the SEC and Related Documents

Appendix Three: A list of U.S. colleges and universities offering domestic partner health benefits compiled by the Human Rights Campaign (HRC)

Appendix Four: Peer Institution Review of Relevant Benefit Coverage

Appendix Five: Extension Request from EDI and Extension Approval from the SEC

Appendix Six: Endorsements

Appendix One

History of the Issue

1994

The 1993-1994 Senate Human Relations Committee (renamed the Senate Committee on Equity, Diversity, & Inclusion in 2010) submitted a report to the College Park Senate in 1994 regarding the extension of University benefits to domestic partners (Senate Document 93-94-35z). The report and its recommendations were approved by the Senate on May 9, 1994. The committee's report contained three separate resolutions:

- 1) The College Park Senate resolves to uphold the University's fundamental belief in equity for all employees and to adhere to the provisions in the Human Relations Code. The policy of the University will be to extend the family benefits that it controls, including library borrowing, the use of recreation and child care facilities, and athletic season ticket discounts to domestic partners. The implementation plan for domestic partner benefits will be determined by the President's Legal Staff, the Office of Human Relations Programs, the Office of Personnel Services, and the Senate Human Relations Committee.
- 2) The College Park Senate resolves to request the Board of Regents (BOR) of the University of Maryland System to undertake a review of the benefits that it controls with an aim toward extending such benefits to university employees in domestic partnerships. (e.g., tuition remission and family-related leave benefits)
- 3) The College Park Senate resolves to request the State of Maryland to undertake a review of the benefits it controls with an aim toward extending such benefits to university employees in domestic partnerships. (e.g., health and pension benefits)

The Senate Human Relations Committee defined "domestic partners" as two individuals who live together, as a couple, in a long-term relationship of indefinite duration with an exclusive mutual commitment in which the partners agree to be jointly responsible for each other's common welfare and share financial obligations. Each partner would sign an affidavit. The committee believed that the passage of this report and its recommendations would help to create a more equitable, positive, and welcoming work and learning environment on the College Park campus.

Upon approval of William Kirwan, President of the University, the resolutions were forwarded to the BOR and appropriate officials of the State of Maryland. The State of Maryland Department of Personnel responded that the Senate's proposal required further study and should be placed on hold. The BOR accepted the direction advocated by the Secretary of the State of Maryland Department of Personnel and decided not to take any action on the matter at that time. The Chancellor agreed that it would be inappropriate for it, or any of the USM Institutions, to take unilateral action, especially with the pending change in the State's political leadership. The BOR did not take a position on the general issue or on the specific proposal put forward by the College Park Senate. Since the Schaefer Administration indicated that action by the BOR regarding extension of benefits to domestic partners would be inappropriate at that time, the BOR instructed USM Presidents not to implement Resolution 1. The Schaefer Administration also viewed any action by the BOR as unilateral, setting precedent for other State agencies and, as such, inappropriate. It was also noted by the Secretary of the Department of Budget and

Fiscal Planning that the State was too far into the bidding and evaluation process for a new State Employee Health Benefits contract to begin formulating provisions for domestic partners at that time. The BOR stated that it would not take action on Resolutions 1 and 2 until the State provides an indication of its disposition of Resolution 3.

1995

In February, Governor Glendening responded to a letter from the Chair of the University of Maryland College Park Lesbian and Gay Staff and Faculty Association, stating that the new executive administration and legislators deserved an opportunity to study the issue carefully before it could provide an indication of its disposition on Resolution 3, and before the BOR could possibly take any action on Resolutions 1 and 2.

In response to the 1994 Senate resolutions, a Board of Regents Ad Hoc Committee on Domestic Partner Benefits was convened. During the review process, the ad hoc committee held two public hearings on the issue.

1996

In April the ad hoc committee released a report entitled, "The Value and Values of Domestic Partner Benefits for UMS (University of Maryland System) Employees." The report stated, "Following careful deliberations, the Committee concluded—on a five to two vote—that extending benefits to domestic partners (both same-sex and opposite-sex) would have significant value for the UMS that far outweighs the negligible costs." The ad hoc committee thus recommended that the BOR call upon the USM institutions to extend to domestic partners those campus-controlled amenities and benefits currently enjoyed by legal spouses of employees. It also asked the BOR to have the system-wide Human Resources Council draft revisions to USM policies with the goal of extending to domestic partners those System-controlled benefits currently enjoyed by legal spouses of employees. Additionally, the report asked the BOR to encourage officials of the State of Maryland to consider extending state-controlled spousal benefits to domestic partners of all state employees and to review the potential of "cafeteria" benefit plans to help address this and other pay equity issues. The report also recommended that a statement of non-discrimination with regard to sexual orientation be developed for inclusion in USM policies. This report was forwarded to officials of the State of Maryland General Assembly.

The BOR received letters of response from both the President of the Senate of Maryland and the Speaker of the House of Delegates. Both letters encouraged the BOR to defer actions on the recommendations of the Ad Hoc Committee on Domestic Partner Benefits until the appropriate Committees of the Legislature could consider the issue and its broader implications. The BOR ultimately did not act on the first three recommendations of its Ad Hoc Committee on Domestic Partner Benefits, but it did accept the last recommendation and adopted a non-discrimination statement for USM policies in July of the following year.

A memo from the Office of the Chancellor was sent to the USM Institution Presidents on August 23, 1996, with guidance concerning the provision of campus-controlled benefits to persons who may be domestic partners. The memo stated that "Presidents may not award campus-controlled benefits to individuals solely because they are members of the class of individuals called 'domestic partners.' However, individuals who are domestic partners may receive any benefits for which they would be eligible if they were not domestic partners. To put it another way, no individual should lose or gain benefits because of his/her status as a domestic partner."

2000

The 2000-2001 General Assembly voted in favor of, and the Governor signed legislation, making discrimination on the basis of sexual orientation illegal. The legislation went into effect in 2001.

2001

In February, the Council of University System Faculty (CUSF) passed a motion asking the BOR to revisit the issue and to adopt a policy in favor of non-discrimination on the basis of the gender of the employee or marital status or the gender of the employee's domestic partner in all matters of compensation and benefits. The BOR agreed to revisit this issue. The Domestic Partner Benefits Task Force was appointed to investigate and report on the issue; it was charged with determining what should be the BOR's disposition on the extension of benefits to individuals in domestic partner relationships at the campus, system, and State level.

Additionally, the Lesbian, Gay, Bisexual, and Transgender Issues Task Force of the USM Diversity Network issued a report in June 2001 that updated much of the research gathered in 1996. The Senate Executive Committee (SEC) asked the Senate Human Relations Committee to review the report. The Human Relations Committee found that four of the University of Maryland's five academic peer institutions—UCLA, Michigan, Illinois, and Berkeley—all provided domestic partner benefits, with the exception of health benefits. The Human Relations Committee reported that it still supported the 1994 Senate decision, and recommended that the SEC reaffirm its position and communicate the reaffirmation to the BOR. The Human Relations Committee's report was endorsed by the SEC and forwarded to President C.D. Mote, Jr.

2002

The SEC expressed its unanimous support of the initiative to secure domestic partnership benefits for employees in the USM. However, the BOR's Domestic Partner Benefits Task Force subsequently stopped reviewing the issue. The chair of the task force, Admiral Larson, resigned because he was running for Lieutenant Governor, and the task force decided not to resume the study at that time. As a result, further review of this issue was put on hold.

2004

President Mote asked the President's Commission on LGBT Issues to determine which University privileges might be able to be extended to domestic partners. In the course of review, the President's Cabinet instead suggested that the privileges not only be extended to domestic partners, but also to others who might live with members of the University faculty and staff. The idea of "Plus One" emerged. President Mote asked the SEC to review a drafted policy and provide advice. The SEC sent the draft policy to the Senate Human Relations Committee for review.

2006

Following a two-year review, the Senate Human Relations Committee submitted a report recommending that a policy on Access to Campus-based Privileges be enacted. It was approved by the Senate in December 2006. Subsequently, the President approved VI-27.00(A) University of Maryland Policy on Access to Campus-Based Privileges. The policy stated that

effective January 1, 2007, each University of Maryland College Park employee may designate one qualified person in addition to himself or herself who shall be eligible for campus-based privileges in accordance with the rules outlined in the policy. To be qualified for designation as a person eligible to receive campus-based privileges, an individual must be at least 18 years old, reside continuously with the employee, and not be in a landlord-tenant relationship with the employee. A person is qualified only so long as he or she continues to reside with the employee. Examples of such individuals include spouses, domestic partners, and adult children of employees. The campus-based privileges for which a qualified designated person may currently be granted access are: use of University libraries, access to University Health Center Services (not health care plans), access to the Counseling Center, access to the Campus Recreation Center at the sponsored membership rate, access to services of the Center for Young Children for children of the employee and the designated individual, and access to the University Golf Course at the faculty/staff membership rate. The President sent a memo to the Vice Presidents about this new policy, and the Director of University Human Resources sent a memo to all Deans, Directors, and Department Chairs.

President Mote appointed a Human Resources Working Group to examine how the University could offer the full range of benefits to domestic partners.

2007

The Human Resources Working Group forwarded three recommendations to President Mote, including that the University be authorized by the BOR to offer health insurance and tuition remission benefits for domestic partners (additional costs to be borne by the institution), as well as the same survivor benefits that are currently available to spouses of employees. President Mote forwarded these recommendations to Chancellor William Kirwan. The Chancellor determined that all USM institutions should move forward as one entity and deferred further consideration to the State on the issue of health benefits.

2009

Access to health care insurance for same-sex domestic partners of all State employees is provided by the administration of Governor Martin O'Malley, and the Maryland Health Care Commission issues an official definition of domestic partner.

2010

An opinion of the Attorney General was issued on February 23 that recognizes same-sex marriages performed in other jurisdictions. To comply with the opinion, the Board of Regents adopted a resolution on September 17 that allows same-sex spouses to be eligible for all spousal USM benefits.

2011

Legislation was introduced in the Maryland General Assembly to allow same-sex marriages in the State of Maryland. The Civil Marriage Protection Act (Senate Bill 116) was introduced during the 2010-2011 session (proposed and sponsored by Senator Rob Garagiola, Delegate Kumar Barve, and Delegate Ben Barnes). The bill would establish law that "only marriage between two individuals who are not otherwise prohibited from marrying is valid in this State," rather than only allowing marriage between "a man and a woman," as currently written in law. If passed, Maryland would have joined five other states and Washington, D.C. in allowing same-

sex couples to marry. The bill passed the Maryland Senate in a 25 to 21 vote. Once in the House of Delegates, Del. Aisha N. Braveboy (D-Prince George's) presented an amendment that would guarantee that voters would get a say on the issue by mandating that the law could not go into effect unless voters rejected a separate 2012 ballot question on whether a ban on same-sex marriage should be written into the Maryland State Constitution; the amendment failed. The Maryland State Constitution also has a provision which allows citizens to mandate public votes on newly passed legislation if enough signatures in favor are collected; this action, if successful, would have also put the law on hold pending the outcome of a statewide vote in November 2012. However, the bill was not voted upon in the House of Delegates; rather, it was sent back to the Judiciary Committee without a record vote. Governor Martin O'Malley (D) was reported to be "disappointed" by the vote. The *Washington Post* reported that Gov. O'Malley stated, "I would have hoped that we could have resolved this issue and then let the people decide" (Wagner, 2011)*.

*Wagner, J. (2011, March 11). Maryland House turns back bill that would legalize same-sex marriage. *The Washington Post*. Retrieved from <http://www.washingtonpost.com/>

On July 22, 2011, Governor Martin O'Malley (D) reconfirmed his commitment to making marriage equality a top legislative and administration priority for the 2012 Maryland General Assembly. At a news conference in Annapolis, MD, on July 22, 2011, O'Malley stated that he is very optimistic that his administration can pull together the necessary votes for passage of a law. During the press conference, O'Malley stated, "Marylanders of all walks of life want their children to live in a loving, stable, committed home – protected under the law. As a free and diverse people of many faiths, we choose to be governed under the law by certain fundamental principles or beliefs, among them 'equal protection of the law' for every individual and the 'free exercise' of religion without government intervention. Other states have found a way to protect both these rights. So should Maryland. The legislation we plan to introduce in the 2012 legislative session will protect religious freedom and equality of marital rights under the law."* O'Malley continued to agree that a referendum or appeal effort regarding a 2012 marriage equality bill is certainly possible, as it is the people's right under Maryland law.

*<http://www.governor.maryland.gov/pressreleases/110722.asp>



University Senate CHARGE

Date:	November 23, 2010
To:	Terry Owen Chair, Equity, Diversity, and Inclusion (EDI) Committee
From:	Linda Mabbs Chair, University Senate 
Subject:	Request to Review Domestic Partner Benefits
Senate Document #:	10-11-34
Deadline:	March 28, 2011

The Senate Executive Committee (SEC) requests that the Equity, Diversity, and Inclusion (EDI) Committee review the issue of domestic partner benefits and make recommendations on whether the level of benefits that we are currently providing is appropriate.

The SEC charged the 2010-2011 Staff Affairs Committee to work with the Council of University System Staff (CUSS) on recommending expansion to domestic partners of system-wide benefits and other related policies, including policies on sick leave, tuition remission, family medical leave, and nepotism. The committee worked with Luke Jensen, Director of the Office of Lesbian, Gay, Bisexual, and Transgender Equity during fall semester and reported back to the SEC on November 10, 2010.

The Staff Affairs Committee reported that it had received notification that on September 17, 2010, the Board of Regents adopted a resolution to comply with the recent Attorney General's opinion regarding the recognition of same sex marriages validly made in other states. The resolution will allow same sex spouses, retroactive to July 1, 2010, to be eligible for all spousal University System of Maryland (USM) benefits, notably tuition remission and various types of leave. The resolution will also apply to the USM's nepotism policy. The Board of Regents resolved to work with Unum (a USM benefits provider) to align any appropriate spousal benefits provided under their USM plans with the resolution. However, the resolution applies only to same sex marriages, and not to other domestic partnerships.

Because this is more than an issue for staff members, the SEC approved charging the EDI Committee with continuing work on whether these benefits should also be extended to domestic partners. Specifically, we ask that you:

1. Consult with the President's Legal Office on the legal aspects of this issue, and why the Board of Regents chose the specific coverage for its resolution.
2. Consult with the Office of Human Resources and the Office of LGBT Equity on the scope of this issue at the University.

3. Review the current and past recommendations on the expansion of benefits to domestic partners.
4. Compare our existing benefits to those at our peer institutions.
5. Research and review the practice known as “Grossing Up,” which has been used by some businesses to make up for the income tax burden of domestic partner benefits and to determine whether it might be a viable option for the University.
6. Work with the President’s Commission on Lesbian, Gay, Bisexual, and Transgender Issues, Chaired by Tanner Wray, to potentially develop a resolution for UMCP that would more fully address the needs of domestic partners (sick leave, tuition remission, family medical leave, and nepotism).

We ask that you submit your report and recommendations to the Senate Office no later than March 28, 2011. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

Attachments:

Original letter of request from the Staff Affairs Committee

Draft of proposal from the Office of Lesbian, Gay, Bisexual, and Transgender Equity

Charge to the Staff Affairs Committee

Response from the Staff Affairs Committee to the SEC

Human Rights Campaign document entitled, “Domestic Partner Benefits: Grossing Up to Offset Imputed Income Tax”



UNIVERSITY OF
MARYLAND
UNIVERSITY SENATE

1100 Marie Mount Hall
College Park, Maryland 20742-4111
Tel: (301) 405-5805 Fax: (301) 405-5749
<http://www.senate.umd.edu>

May 7, 2010

Professor Linda Mabbs
Chair, University Senate
1100 Marie Mount Hall
University of Maryland
College Park, MD 20742-7541

Dear Professor Mabbs:

Early in the Spring 2010 semester, the Senate Staff Affairs Committee invited Luke Jensen, Director of the Office of Lesbian, Gay, Bisexual, and Transgender Equity, to speak at a committee meeting. It had been brought to the attention of the committee by a committee member that Jensen was currently working on an effort to recommend expansion of campus-based benefits to same-sex domestic partners. Jensen had expressed interest in working with the committee on this effort, and the committee welcomed his presentation.

At the meeting, Jensen explained possibilities for how to extend benefits such as bereavement leave, Family and Medical Leave, sick leave, and tuition remission to domestic partners. Jensen explained that he has been working on this issue since 1992, and that domestic partners recently received health care benefits when the State of Maryland instituted a statewide policy. Jensen provided an overview of what types of benefits are offered at our peer institutions. He explained that his office would like the support of the University Senate through the passage of a resolution recommending that bereavement leave, Family and Medical Leave, sick leave, and tuition remission benefits be extended to domestic partners at the University of Maryland College Park. The committee requested that his office draft a document that contains specific information about what he wants the committee to support. This document was subsequently forwarded to the committee for its review (it is enclosed for your reference).

Willie Brown, Chair of the Council of University System Staff (CUSS), serves as a voting ex-officio member of the Staff Affairs Committee. At a recent meeting, he reported that CUSS is currently in discussions regarding the expansion of system-wide domestic partner related policies (sick leave, tuition remission, family medical leave, and nepotism) with the Chancellor's Office. He explained that the Chancellor is willing to review these policies with CUSS leadership. Because CUSS will be in conversation with the Chancellor regarding this topic on a system-wide manner over the coming months, the committee would like to support CUSS's efforts.

Thus, the Staff Affairs Committee asks that the Executive Committee charge the 2010-2011 Staff Affairs Committee with reviewing the status of CUSS's work on this topic throughout the academic year. Additionally, the committee would like to be charged with crafting a letter of endorsement and support of CUSS's final recommendation, if appropriate for the University. At our meeting on May 3, 2010, the committee voted unanimously in favor of supporting this request.

Thank you for your consideration of this matter.

Sincerely,

Cynthia Shaw
Chair, University Senate Staff Affairs Committee

Enclosure: Draft of proposal from the Office of Lesbian, Gay, Bisexual, and Transgender Equity

CS/cb

Cc: Reka Montfort, Executive Secretary and Director, University Senate
Willie Brown, Chair of the Council of University System Staff (CUSS)
Luke Jensen, Director of the Office of Lesbian, Gay, Bisexual, and Transgender Equity

DRAFT Proposal from Luke Jensen, Director of the Office of LGBT Equity

Domestic Partner Benefits – Completing the Task

Beginning in the early 1990s, discussions about Domestic Partner Benefits at the University of Maryland recognized three levels of benefits: campus benefits, system benefits, and state benefits. In 2006, the campus moved forward in offering campus benefits and President C. D. Mote, Jr. appointed a Human Resources Working Group to examine how we could offer the full range of benefits to domestic partners. The committee was chaired first by John Porcari and later by Ann Wylie. On April 11, 2007, the HR Working Group submitted its recommendations to President Mote. They included the following.

The Working Group recommends that the University of Maryland, College Park, be authorized by the Board of Regents and the State of Maryland to offer the same health insurance benefits for domestic partners that are currently available to spouses of employees. Any additional costs for this benefit would be borne by the institution.

The Working Group recommends that UMCP be authorized by the Board of Regents to offer the same tuition remission benefits for domestic partners enrolled at UMCP that are currently available to spouses. Any additional costs for this benefit would be borne by the institution.

The Working Group recommends that on behalf of the University of Maryland the Board of Regents work with the State to allow domestic partners the same survivor benefits that are currently available to spouses of UMCP employees.

On April 16, 2007, President Mote sent these recommendations to Chancellor William E. Kirwan. The Chancellor determined that the complete University System of Maryland should move forward as one entity on the issue of health care for domestic partners and deferred further consideration to the State. Following legislation passed by the Maryland General Assembly and an official definition of Domestic Partner issued by the Maryland Health Care Commission, both in 2008, and additional legislation passed in 2009, the administration of Governor Martin O'Malley provided access to health care insurance for the domestic partners of all state employees including the University System of Maryland.

Tuition remission and other system-level benefits have gone unaddressed.

This proposal moves that

- a) "UMCP be authorized by the Board of Regents to offer the same tuition remission benefits for domestic partners enrolled at UMCP that are currently available to spouses" as proposed most recently in 2007.

We also propose that domestic partners be included for the following "soft" benefits.

b) Use of sick leave for “illness or injury in the employee’s immediate family and medical appointments, examinations or treatments for the immediate family member with an accredited, licensed, or certified medical provider.”

c) Paid “Bereavement Leave, not to exceed three (3) work days, of five (5) days if overnight travel is required, on account of the death of any member of the employee’s immediate family.”

d) The inclusion of domestic partners in policies regarding Family and Medical Leave. This would simply parallel policies mandated by Federal Law.

Domestic partners should also be included in all other relevant policies of the University System of Maryland.

Because there is an established affidavit employees must submit to access health insurance coverage for Domestic Partners, it is understood that the same form would be used for Tuition Remission. (http://www.uhr.umd.edu/benefits/benefits_forms.cfm)



University Senate CHARGE

Date:	August 24, 2010
To:	Cynthia Shaw Chair, Staff Affairs Committee
From:	Linda Mabbs Chair, University Senate
Subject:	Request to Endorse CUSS Review of Domestic Partner Benefits
Senate Document #:	09-10-48
Deadline:	November 10, 2010

The Senate Executive Committee (SEC) met on May 14, 2010 to review the letter submitted by the 2009-2010 Staff Affairs Committee, regarding the efforts of the committee and the Council of University System Staff (CUSS) to recommend expansion of benefits to same-sex domestic partners. The letter outlined the committee's strong support for charging the 2010-2011 Staff Affairs Committee with reviewing the status of CUSS's work on this topic throughout the 2010-2011 academic year. Specifically, they suggested that the incoming committee craft a letter of endorsement and support of CUSS's recommendation, if appropriate for the University.

The SEC voted to grant this request, and would like the 2010-2011 Staff Affairs Committee to work with CUSS on the issue of recommending expansion of system-wide domestic partner related policies (including sick leave, tuition remission, family medical leave, and nepotism). If the committee supports CUSS's recommendation regarding this topic, the SEC would also like the Staff Affairs Committee to craft a letter of endorsement and support of CUSS's recommendation, if appropriate for the University. The committee should draft a letter outlining its endorsement of any recommended expansion of benefits. The committee is advised to work with Luke Jensen, Director of the Office of Lesbian, Gay, Bisexual, and Transgender Equity, with the crafting of this letter. Specifically, the committee should include past research and/or recommendations in this area, as well as any pertinent information that explains why such expansion would benefit the University of Maryland College Park. This letter could be put forward in the form of a resolution to the Senate.

The SEC requests that the Staff Affairs Committee assist CUSS in its work on this topic as needed. The SEC also requests that the Staff Affairs Committee provide a status report and/or submit a letter as described above no later than November 10, 2010.

If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.



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UNIVERSITY SENATE

1100 Marie Mount Hall
College Park, Maryland 20742-4111
Tel: (301) 405-5805 Fax: (301) 405-5749
<http://www.senate.umd.edu>

November 10, 2010

Professor Linda Mabbs
Chair, University Senate
1100 Marie Mount Hall
University of Maryland
College Park, MD 20742-7541

Dear Chair Mabbs:

The Staff Affairs Committee received a charge at the beginning of the Fall 2010 Semester asking the committee to work with the Council of University System Staff (CUSS) on the issue of recommending expansion of system-wide domestic partner related policies (including sick leave, tuition remission, family medical leave, and nepotism). The SEC asked the Staff Affairs Committee to craft a letter outlining its endorsement of any final recommendations, or provide a status report to the SEC by November 10, 2010.

I am writing on behalf of the Staff Affairs Committee to update the SEC on the recent actions regarding this topic. Early in the Spring 2010 semester, the Senate Staff Affairs Committee spoke with Luke Jensen, Director of the Office of Lesbian, Gay, Bisexual, and Transgender Equity, about efforts to recommend expansion of campus-based benefits to same-sex domestic partners. Over the course of the Spring and Summer months, CUSS discussed the expansion of system-wide domestic partner related policies with the Chancellor.

The committee received notification that on September 17, 2010, the Board of Regents adopted a resolution to comply with the recent Attorney General's Opinion regarding the recognition of same sex marriages validly made in other states. We understand that this resolution will allow same sex spouses, retroactive to July 1, 2010, to be eligible for all spousal USM benefits, notably tuition remission and various types of leave. The resolution will also apply to the USM's nepotism policy. The Board of Regents resolved to work with UNUM to align any appropriate spousal benefits provided under their USM plans with the resolution. Pending or denied applications for tuition remission for the current semester will be notified of the Board's decision. However, because the resolution applies only to same sex marriages, and not to other domestic partnerships, I contacted Luke Jensen to find out whether he felt that a majority of constituents on campus will be served by this resolution.

I met with Luke Jensen on Tuesday, October 26, 2010. It was made clear that the sentiment on campus is that the piece-meal approach to providing benefits for domestic partners has frustrated and exhausted those who have been championing these efforts for over twenty years. We concur that the Attorney General was courageous in his option of recognizing same sex marriages validly made in other states, because it does expand access to benefits for some employees on campus. However, the resolution passed by the Board of Regents does not comprehensively address the issue that CUSS and the Staff Affairs Committee were interested in pursuing. Additionally, the resolution puts the University in the awkward position of having to ask state employees with same sex domestic partners to go out of state to obtain a legal document that will allow them to access state benefits in the State of Maryland.

Because we do not wish to see this issue be removed entirely from the table, and because this is

more than just an issue for staff members, the Staff Affairs Committee would like to recommend that the Senate Committee on Equity, Diversity, and Inclusion (EDI) be charged with continuing work on this subject. If this is granted, we would also encourage the EDI Committee to partner with the President's Commission on Lesbian, Gay, Bisexual, and Transgender Issues, Chaired by Tanner Wray, to potentially develop a resolution for UMCP that would more fully address the needs of domestic partners (sick leave, tuition remission, family medical leave, and nepotism). A major first task for the EDI Committee should be to determine the scope of the issue at the University. Additionally, the Staff Affairs Committee recommends that EDI consult the Legal Office to find out about the legal aspects of this issue, including why the Board of Regents chose the specific coverage of its most recent resolution.

Luke Jensen also mentioned a practice known as "Grossing Up," which has been instated at some institutions to make up for the income tax burden of domestic partner benefits. The Staff Affairs Committee suggests that EDI be asked to research this practice and evaluate whether it should be recommended for consideration at the University. We have attached a document with more information from the Human Rights Campaign website called "Domestic Partner Benefits: Grossing Up to Offset Imputed Income Tax."

Also attached to this letter is the original proposal from Luke Jensen.

Thank you for your consideration of this matter.

Sincerely,

Cynthia Shaw
Chair, University Senate Staff Affairs Committee

Enclosure(s):
HRC document, "Domestic Partner Benefits: Grossing Up to Offset Imputed Income Tax"
Draft of proposal from the Office of Lesbian, Gay, Bisexual, and Transgender Equity

CS/cb

Cc: Reka Montfort, Executive Secretary and Director, University Senate
Luke Jensen, Director of the Office of Lesbian, Gay, Bisexual, and Transgender Equity

Information Retrieved from Human Rights Campaign Website on October 29, 2010

http://www.hrc.org/issues/workplace/benefits/grossing_up.htm

Domestic Partner Benefits: Grossing Up to Offset Imputed Income Tax

The information in this document does not constitute legal advice. For assistance with legal questions specific to your situation, please consult an attorney.

A number of employers have looked to account for the income tax burden of domestic partner benefits by "grossing up" an employee's salary, similar to grossing up award or bonus payments to an employee. This benefit is also sometimes referred to as a "true-up" of the employee's salary. For example, a holiday bonus of \$500 would be reported for tax purposes at a greater value so that the employee actually receives \$500 after taxes. Employees that are taxed on the imputed value of domestic partner benefits generally must pay those taxes each payroll period.

- [Taxation of Domestic Partner Benefits](#)
- [Business Coalition for Benefits Tax Equity](#) - a group of more than 70 major U.S. employers that support legislation to end the federal tax disparity

Who Grosses Up

Although employers have been interested in implementing a gross up benefit for employees receiving partner benefits since as early as 2001, the HRC Foundation was unable to find a particular employer that had implemented the benefit until 2009.

As of July 2010, the HRC Foundation is aware of four for-profit employers -- including **Cisco Systems**, **Google Inc.** and **Kimpton Hotels & Restaurants**. Furthermore, several large businesses and law firms have indicated they will implement the benefit in 2010. More information will be available after the Corporate Equality Index 2011 Report is released in Fall 2010.

- [Kimpton Hotels & Restaurants](#) - video and presentation about their HRC Award for Workplace Equality Innovation in 2010

How "Grossing Up" Works: An Example

Consider an employer that wants to gross up an employee in the 20-percent tax bracket. The fair market value of the employee's non-dependent domestic partner coverage is determined to be \$200 per pay period.

The employee will incur \$40 of tax ($\200×20 percent) for that pay period. To gross up the employee, the employer would need to make an additional payment of \$48 to this employee - \$40 would serve as reimbursement for the tax incurred on the benefits coverage and the other \$8 ($\40×20 percent) would serve as an approximate reimbursement of the tax paid on the gross-up

payment itself. Note that this example does not include state tax, Social Security (FICA) and Medicare taxes.

This example appears in "[Domestic Partner Benefits: An Employer's Guide, 5th Edition.](#)" Copyright 2009 Thompson Publishing Group, Inc.

Notifying Employees

Employers can notify employees of the gross-up benefit through general benefits eligibility documentation available to all employees.

EXAMPLE: Who is eligible for benefits?

All employees regularly scheduled to work 20 or more hours each week are eligible for all benefits. Employees working less than 20 hours per week are eligible to participate in the Retirement Plans and Employee Matching Gifts Program. Coverage will begin on your date of hire. You may enroll your eligible dependents for medical, dental and vision benefits. Dependents are eligible to receive Employee Assistance Program (EAP) services, regardless of enrollment in other benefit plans. Your eligible dependents include:

- Your legal spouse
- Your same- or different-sex partner. To be eligible to enroll in the plans, your partner must meet the criteria outlined under Domestic Partner Eligibility. **Any premium contributions made by [EMPLOYER NAME] on behalf of a non-dependent partner are considered taxable income. However, [EMPLOYER NAME] pays for the tax impact on your behalf; therefore, there is no impact to your net pay. Payroll will gross-up your salary for the value of the insurance provided to your domestic partner. As a result, your gross wages reported on your regular pay stub and in Box 1 of your W-2 will be higher by the amount of the insurance (including the gross-up).**
- Your unmarried children (or step children in your custody) up to the age of 25 who depend on you for support (this includes your partner's children)
- Any dependent child who is incapable of self-support because of a physical or mental disability

Sample Proposal for Grossing Up

Use this sample proposal as a guide when advocating for your own employer to implement grossing up as a standard for employees enrolled in domestic partner benefits that pay an additional imputed income tax.

- [Proposal for Grossing Up to Offset Imputed Income Tax](#)



Human Rights Campaign
 1640 Rhode Island Avenue NW
 Washington, DC 20036
 phone (202) 628-4160
 fax (202) 347-5323

1/10/2011

Employers that offer domestic partner health benefits
 For: US News Top 120 Colleges & Universities

EMPLOYER NAME	CITY	STATE
American University	Washington	DC
Brandeis University	Waltham	MA
Brown University	Providence	RI
California Institute of Technology	Pasadena	CA
Carnegie Mellon University	Pittsburgh	PA
Case Western Reserve University	Cleveland	OH
Columbia University	New York	NY
Cornell University	Ithaca	NY
Dartmouth College	Hanover	NH
Drexel University	Philadelphia	PA
Duke University	Durham	NC
Emory University	Atlanta	GA
George Washington University	Washington	DC
Georgetown University	Washington	DC
Harvard University	Cambridge	MA
Illinois Institute of Technology	Chicago	IL
Indiana University Bloomington	Bloomington	IN
Iowa State University	Ames	IA
Johns Hopkins University	Baltimore	MD
Lehigh University	Bethlehem	PA
Massachusetts Institute of Technology	Cambridge	MA
Miami University	Oxford	OH
Michigan State University	East Lansing	MI
New York University	New York	NY
Northeastern University	Boston	MA
Northwestern University	Evanston	IL
Ohio University	Athens	OH

EMPLOYER NAME	CITY	STATE
Pennsylvania State University	University Park	PA
Pepperdine University	Malibu	CA
Princeton University	Princeton	NJ
Purdue University	West Lafayette	IN
Rice University	Houston	TX
Rutgers University	Piscataway	NJ
Southern Methodist University	Dallas	TX
Stanford University	Stanford	CA
SUNY - Binghamton	Binghamton	NY
SUNY - Stony Brook	Syracuse	NY
Syracuse University	Syracuse	NY
Tufts University	Medford	MA
Tulane University	New Orleans	LA
University Of California Davis	Davis	CA
University Of California Irvine	Irvine	CA
University Of California Los Angeles	Los Angeles	CA
University Of California Riverside	Riverside	CA
University Of California San Diego	La Jolla	CA
University Of California Santa Barbara	Santa Barbara	CA
University Of California Santa Cruz	Santa Cruz	CA
University of California, Berkeley	Berkeley	CA
University of Chicago	Chicago	IL
University of Colorado Boulder	Boulder	CO
University of Connecticut	Storrs	CT
University of Denver	Denver	CO
University of Florida	Gainesville	FL
University of Illinois Urbana-Champaign	Champaign	IL
University of Iowa	Iowa City	IA
University of Miami	Coral Gables	FL
University of Michigan Health System	Ann Arbor	MI
University of New Hampshire Durham	Durham	NH
University of Oregon	Eugene	OR
University of Pennsylvania	Philadelphia	PA
University of Pittsburgh	Pittsburgh	PA
University of Rochester	Rochester	NY

EMPLOYER NAME	CITY	STATE
University of San Francisco	San Francisco	CA
University of Southern California	Los Angeles	CA
University of the Pacific	Stockton	CA
University of Vermont	Burlington	VT
University of Washington	Seattle	WA
Vanderbilt University	Nashville	TN
Wake Forest University	Winston-Salem	NC
Washington State University	Pullman	WA
Washington University in St. Louis	St. Louis	MO
Worcester Polytechnic Institute	Worcester	MA
Yale University	New Haven	CT

Domestic Partner Benefits at University of Maryland Peer Institutions

9/7/2011

BENEFIT	University of California, Berkeley	University of California, Los Angeles	University of Michigan	University of Illinois, Urbana-Champaign	University of North Carolina, Chapel Hill
Sick Leave	yes	yes	yes	yes	no
Bereavement Leave	yes	yes	yes	yes	no
Family & Medical Leave	yes	yes	yes	yes	no
Tuition Remission	not offered to anyone	not offered to anyone	only offered to employees	only offered to retirees, employees, and children	no

University of California System

Domestic partner benefits for UC employees are available at http://atyourservice.ucop.edu/forms_pubs/misc/benefits_domestic_partners.pdf.

Even though full tuition waivers are not offered, under certain circumstances employees, or the child, spouse, or registered domestic partner of a University employee, may qualify for a waiver of the nonresident supplemental tuition (basically pay resident tuition). Details are available at <http://www.registrar.ucla.edu/residence/exempt.htm>.

University of Michigan

The University of Michigan offers benefits for adult dependents who meet the requirements of the [Other Qualified Adult \(OQA\)](#) category. Although U-M does not offer benefits based on a domestic partnership, coverage for an adult who shares a primary residence with the U-M employee can be elected when all OQA requirements are met:

- The employee is eligible for U-M benefits; and
- The employee does not already enroll a spouse in health or other benefits; and
- The Other Qualified Adult, at the time of proposed enrollment, shares a primary residence with the employee and has done so for the previous 6 continuous months, other than as an employee or tenant.

Specific policies for sick leave and funeral time are available at <http://spg.umich.edu/section/201/>. FMLA policy is available at <http://hr.umich.edu/tutorials/FMLA/toc.html>. For FMLA purposes, the U-M definition of a family member is located at <http://hr.umich.edu/tutorials/FMLA/fammemdef.html>.

It appears that full tuition waivers are only offered as part of the Graduate Student Research Assistantship Program.

Tuition support requests are available only to employees (not to spouses or children): <http://hr.umich.edu/hrris/forms/pdfs/tuitionsupportrequest.pdf>

University of Illinois

The University of Illinois defines domestic partners as two persons of the same gender, age 18 or older, who have been residing together for at least 6 months and are jointly responsible for each other's common welfare and shared financial obligations. (see

https://nessie.uihr.uillinois.edu/cf/benefits/index.cfm?item_id=3754&mlink=1)

Note: *The State Domestic Partner category (same-sex only) ceases to be available on 6/1/2011. Individuals covered under this category as of 5/31/2011 will be grandfathered and their coverage will continue. Effective 6/1/2011, in accordance with Public Act 96-1513, a new State Civil Union Partner category is available for same-sex and opposite sex partners.*

Tuition waivers appear to be offered only to retirees, employees, and children of employees:

https://nessie.uihr.uillinois.edu/cf/events/index.cfm?Item_ID=1121&mlink=1116

University of North Carolina, Chapel Hill

A domestic partner is defined as follows: a person who is neither married nor related by blood or marriage to the employee; it is the employee's sole spousal equivalent; lives together with the employee in the same residence and intends to do so indefinitely; and is responsible with the employee for each other's welfare. Domestic Partner benefits are limited to the University Benefit Programs (Assurant Dental, MetLife, Reliance Standard AD&D) and requires completion of an Affidavit of Domestic Partnership. (<http://hr.unc.edu/benefits/benefits-eligibility/index.htm>)



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MARYLAND
UNIVERSITY SENATE

1100 Marie Mount Hall
College Park, Maryland 20742-4111
Tel: (301) 405-5805 Fax: (301) 405-5749
<http://www.senate.umd.edu>

March 16, 2011

Professor Linda Mabbs
Chair, University Senate
1100 Marie Mount Hall
University of Maryland
College Park, MD 20742-7541

Dear Chair Mabbs:

In November 2010, the Equity, Diversity & Inclusion (EDI) Committee received a charge from the Senate Executive Committee (SEC) asking the committee to review the issue of domestic partner benefits and make recommendations on whether the level of benefits that we are currently providing is appropriate. Last fall, the Board of Regents extended benefits to same-sex couples married in other jurisdictions, but did not act on extending system benefits to same-sex domestic partners.

I am writing on behalf of the EDI Committee to update the SEC on recent actions regarding this topic. The committee met on five separate occasions to review, research, and discuss the issue of offering system benefits to same-sex domestic partners at the University of Maryland. After the committee began working on this issue, legislation that would have allowed same-sex marriage was introduced in the Maryland General Assembly. The bill cleared the Senate a few weeks ago, and Governor Martin O'Malley had pledged to sign it. Unfortunately, the bill stalled in the House of Delegates and was recently referred back to the Judiciary Committee. If the bill had passed, same-sex domestic partners would have had the option to marry in Maryland and, as a result, receive system benefits. This would have negated the need for the EDI Committee to draft a proposal for the expansion of system benefits to same-sex domestic partners.

Even if this bill is reintroduced in the next legislative session of the Maryland General Assembly, there is no guarantee that it will be signed into law. Therefore, the EDI Committee would like to continue to investigate this issue and work to develop a resolution that can be endorsed by other interested parties, including the President's Commission on LGBT Issues, Council on University System Staff (CUSS), Council on University System Faculty (CUSF), and other institutions in the University System of Maryland (USM). Continued work on this issue will allow the committee to formalize recommendations and coordinate efforts in persuading the Board of Regents to extend system benefits to same-sex domestic partners. The current deadline for the charge is March 28, 2011, but we hope that the SEC will allow the committee to continue to work on this resolution for the remainder of this year. Our goal would be to present a resolution, possibly with supporting documentation from other USM institutions and various groups, to the SEC and the Senate in the fall of 2011.

Thank you for your consideration of this matter.

Sincerely,

Terry Owen
Chair, Senate Equity, Diversity & Inclusion Committee

TO/cb

Cc: Reka Montfort, Executive Secretary and Director, University Senate



UNIVERSITY OF
MARYLAND
UNIVERSITY SENATE

1100 Marie Mount Hall
College Park, Maryland 20742-4111
Tel: (301) 405-5805 Fax: (301) 405-5749
<http://www.senate.umd.edu>

April 12, 2011

Terry Owen
Chair
Equity, Diversity & Inclusion (EDI) Committee

Dear Terry,

The Senate Executive Committee (SEC) reviewed the EDI Committee's request for a deadline extension on its report regarding the "Request to Review Domestic Partner Benefits 10-11-34". We would like to commend your committee for its careful review of the issue and your willingness to work with all interested parties while crafting a report that will best represent the needs of the University. The SEC recognizes that this level of engagement requires additional time to appropriately prepare a report. We are happy to extend the deadline for your report to December 1, 2011. Please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Linda Mabbs".

Linda Mabbs
Chair

LM/rm



UNIVERSITY OF
MARYLAND

LESBIAN, GAY, BISEXUAL, AND TRANSGENDER EQUITY CENTER

2218 Marie Mount Hall
College Park, Maryland 20742
301.405.8720 TEL
Email: lgbt@umd.edu
www: <http://lgbt.umd.edu>

Statement of Support

Date: November 3, 2011

Dear University Senate Officers,

As Director of the Lesbian, Gay, Bisexual, and Transgender (LGBT) Equity Center, I strongly endorse the recommendation of the Senate EDI Committee to include "or same-sex domestic partner" wherever the term "spouse" is used in all policies of the University System of Maryland. This recommendation addresses pay and other inequities for LGBT employees that are both obvious and longstanding. Such action should also insure that same-sex domestic partners are included in any future policies enacted by the Board of Regents.

Additionally, I encourage the Senate to continue to investigate and to make recommendations addressing pay inequities related to sex, gender and marital status.

As you review this recommendation of the Senate EDI Committee, I ask that you consider this endorsement from someone who has worked on the issue of domestic partner benefits for nearly twenty years, seventeen of which includes encouraging the System to take the very steps recommended here.

Sincerely,

A handwritten signature in black ink that reads "Luke Jensen".

Luke Jensen
Director



UNIVERSITY OF MARYLAND

OFFICE OF DIVERSITY AND INCLUSION

1130 Shriver Laboratory, East Wing
College Park, MD 20742-4321
301.405.2838 TEL 301.314.9992 FAX
www.odi.umd.edu

Excellence Diversity Equity Community

October 19, 2011

Dear University Senate Officers,

On behalf of the Office of Diversity Education and Compliance, we endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Gloria J. Bouis
Executive Director
Diversity Education and Compliance
gbouis@umd.edu
(301) 405-2842

Who We Are

Established in 1971, the Office of Diversity and Inclusion (ODI), formerly the Office of Human Relations Programs, is the equity, compliance and diversity education arm of the Office of the President at the University of Maryland, College Park. ODI investigates complaints of discrimination and harassment under the Human Relations Code, conducts Sexual Harassment Prevention Program training, and provides proactive diversity education for students, staff, and faculty on the broad array of issues related to multiculturalism, such as our signature program: the Words of Engagement: Intergroup Dialogue Program.



UNIVERSITY OF MARYLAND

OFFICE OF THE ASSOCIATE PROVOST
FOR EQUITY AND DIVERSITY

1127C Main Administration Building
College Park, Maryland 20742-5031
301.405.7227 TEL 301.405.7139 FAX

September 26, 2011

Senate Office
1100 Marie Mount Hall
University of Maryland
College Park, MD 20741-7541

Dear University Senate Officers,

On behalf of the Office of Equity and Diversity, I endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Lee Thornton, Ph.D.

Associate Provost for Equity and Diversity (I)



UNIVERSITY OF MARYLAND

OFFICE OF THE PRESIDENT

Main Administration Building
College Park, Maryland 20742
301-405-5803 FAX 301-314-9500 TDD

October 31, 2011

Dear University Senate Officers,

The Equity Council endorses the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

The Equity Council serves as an advisory group to the President and supports the longstanding and continuous goal of the University of Maryland to be a national leader in recruiting and retaining a diverse community of faculty, staff, and students. We believe this recommendation is a step in the right direction in regard to obvious and long-standing pay inequities for LGBT employees.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Robert Waters
Chair



1208 Cole Student Activities Building
University of Maryland
College Park, MD 20742
Tel: 301-405-2931 Fax: 301-405-2868
<http://www.crge.umd.edu>

September 28, 2011

Dear University Senate Officers,

On behalf of Consortium on Race, Gender and Ethnicity (CRGE), we endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners.

As an important research center on campus CRGE's objective is the examination of the nature of power and its implementation in maintaining interconnected structures of inequality that affect individual and group identities and experiences, as such this recommendation to support the EDI Committee's endorsement will promote social justice and change and the eradication of policy disparities. We strongly support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013, for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Ruth E. Zambrana, PhD
Professor, Department of Women's Studies
Director, Consortium on Race, Gender and Ethnicity



UNIVERSITY OF MARYLAND

LESBIAN, GAY, BISEXUAL, AND TRANSGENDER STUDIES PROGRAM

2417 Marie Mount Hall
College Park, Maryland 20742
301.405.LGBT (5428) TEL 301.314.2529 FAX
lgbs@umd.edu
www.lgbts.umd.edu

November 14, 2011

Dear University Senate Officers,

The Lesbian, Gay, Bisexual, and Transgender Studies Program is pleased to endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system-level benefits, including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. These are small but important steps toward remedying obvious and long-standing pay inequities for LGBT employees, and we unequivocally support taking them.

We join others in urging the Senate to continue to investigate and seek ways to address pay equity issues related to sex, gender, and marital status.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Marilee Lindemann
Associate Professor, English
Director, Lesbian, Gay, Bisexual, and Transgender Studies

Statement of Support:

Date: September 26, 2011

Dear University Senate Officers,

On behalf of the President's Commission on Women's Issues, I endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Ellin K. Scholnick
Chair, President's Commission on Women's Issues
Professor Emerita and Faculty Ombuds Officer

October 29, 2011

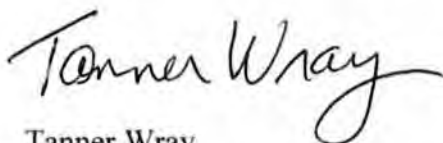
Dear University Senate Officers,

The President's Commission on Lesbian, Gay, Bisexual, and Transgender (LGBT) Issues unequivocally endorses the University of Maryland University Senate Equity, Diversity & Inclusion (EDI) Committee's recommendation that coverage of all system benefits be expanded to include same-sex domestic partners. We believe this recommendation is a step in the right direction in regard to obvious and long-standing pay inequities for LGBT employees.

Additionally, we strongly encourage the Senate to continue to investigate and seek ways to address pay equity issues related to sex, gender and marital status.

Please consider the Commission's endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,



Tanner Wray
Chair, President's Commission on Lesbian, Gay, Bisexual, and Transgender Issues



UNIVERSITY OF MARYLAND

OFFICE OF THE PRESIDENT

Main Administration Building
College Park, Maryland 20742
301.405.5803 TEL 301.314.9560 FAX

Date: November 2, 2011

Dear University Senate Officers,

On behalf of the President's Commission on Ethnic Minority Issues, I endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Gloria Bouis
Chair, President's Commission on Ethnic Minority Issues



UNIVERSITY OF
MARYLAND
UNIVERSITY SENATE

1100 Marie Mount Hall
College Park, Maryland 20742-4111
Tel: (301) 405-5805 Fax: (301) 405-
<http://www.senate.umd.edu>

October 13, 2011

Dear University Senate Officers,

On behalf of the Senate Staff Affairs Committee, I am writing to endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners.

During the Fall Semester, 2010, Staff Affairs determined that the eligibility of same-sex spouses for all spousal USM benefits as the result of the Board of Regents resolution of September 17th, 2010 needed further consideration specifically because it did not afford benefits to same sex domestic partners. Therefore Staff Affairs recommended that the question receive further consideration in the EDI Committee.

Accordingly, on October 11, 2011, the Staff Affairs Committee voted unanimously in favor of supporting the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please note the unanimous decision in the Senate Staff Affairs Committee to support the recommendations stated above and consider our endorsement as you review these recommendations put forth by the Senate EDI Committee this fall.

Sincerely,



Steven N. Petkas

Chair, 2011-2012 University Senate Staff Affairs Committee

SP/cb



UNIVERSITY OF MARYLAND

UNIVERSITY SENATE

1100 Marie Mount Hall
College Park, Maryland 20742-4111
Tel: (301) 405-5805 Fax: (301) 405-5749
<http://www.senate.umd.edu>

Statement of Support:

Date: 10/06/2011

Dear University Senate Officers,

On behalf of the Senate Student Affairs Committee, I endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
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- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Ms. Rachel Cooper
2011-2012 Chair
Senate Student Affairs Committee

RC/gf



UNIVERSITY OF MARYLAND

UNIVERSITY SENATE

1100 Marie Mount Hall
College Park, Maryland 20742-4111
Tel: (301) 405-5805 Fax: (301) 405-5749
<http://www.senate.umd.edu>

Statement of Support:

Date: 10/06/2011

Dear University Senate Officers,

On behalf of the Senate Faculty Affairs Committee, I endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
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- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Dr. Charles Fenster
2011-2012 Chair
Senate Faculty Affairs Committee

CF/gf



UNIVERSITY OF MARYLAND

ADELE H. STAMP STUDENT UNION
Center for Campus Life

Office of Multicultural Involvement & Community
Advocacy [MICA]

301.314.8600 TEL 301.314.2672 FAX
<http://www.union.umd.edu/diversity>
MICA-contact@umd.edu

Stamp Student Union – Suite 1120 College Park,
Maryland 20742

Statement of Support:

Date: October 27, 2011

Dear University Senate Officers,

On behalf of the Office of Multicultural Involvement and Community Advocacy, I endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Alexander Breiding
Graduate Coordinator for LGBT Student Involvement and Advocacy
Office of Multicultural Involvement and Community Advocacy

Statement of Support:

Date: November 9, 2011

Dear University Senate Officers,

On behalf of LGBT Faculty/Staff Association, I endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
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- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Dr. Shaunna Payne Gold
Associate Director of Assessment Programs & Student Development
Office of Multi-ethnic Student Education
1101 Hornbake Library
College Park, MD 20742

GSGA31-R2

A Resolution Calling for Same-Sex Domestic Partner Benefits

Summary: A Resolution calling for the University to endorse the University of Maryland (College Park) University Senate Equity, Diversity, & Inclusion (EDI) Committee’s recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners.

WHEREAS, in fall 2010 the University of Maryland System Board of Regents extended benefits to same-sex couples married in other jurisdictions; and

WHEREAS, same-sex partners are not legally eligible to marry in Maryland, while heterosexual couples are eligible to marry and consequently access spousal benefits; and

WHEREAS, access to benefits for same-sex couples is a matter of equity and fairness; and

WHEREAS, the 2011 Maryland State Employees and Retirees health benefits guide states that same-sex domestic partners are eligible for health benefits at the University of Maryland if they meet the following requirements:

“Domestic Partner” means an individual in a relationship with an Employee or Retiree who is the same sex as the Employee or Retiree, if both individuals:

- are at least 18 years old;
- are not related to each other by blood or marriage within four degrees of consanguinity under civil law rule;
- are not married, in a civil union, or in a domestic partnership with another individual;
- have been in a committed relationship of mutual interdependence for at least 12 consecutive months in which each individual contributes to some extent to the other individual’s maintenance and support with the intention of remaining in the relationship indefinitely; and
- share a common primary residence; and

WHEREAS, the University of Maryland (College Park) University Senate’s Equity, Diversity and Inclusion (EDI) Committee recommends that coverage of system benefits be extended to same-sex domestic partners, including sick leave, family and medical leave, bereavement leave, and University policies related to nepotism; and

WHEREAS, graduate students are not considered employees by the University of Maryland, but have access to some employee benefits, such as health insurance,

THEREFORE, BE IT RESOLVED THAT until such a time as same-sex couples have equal access to marriage in Maryland, the Graduate Student Government endorses

45 and supports the EDI Committee's recommendation that all spousal benefits of this University
46 be extended to same-sex domestic partners; and
47

48 **THEREFORE, BE IT FURTHER RESOLVED THAT** the Graduate
49 Student Government calls upon the University to make all University benefits that are currently
50 offered to spouses of graduate students, as well as any future benefits or family policies available
51 to graduate students, also available to same-sex domestic partners of graduate students.
52

53
54
55 **Author(s):** Anna Bedford, President (CMPL)
56

57 **Sponsor(s):** David Colón Cabrera, Program Representative (ANTH)
58 Barrett Dillow, Vice President for Legislative Affairs (ENAE)
59 Alice Donlan, Program Representative (EDHD)
60 Anne Jorstatd, Program Representative (AMSC)
61

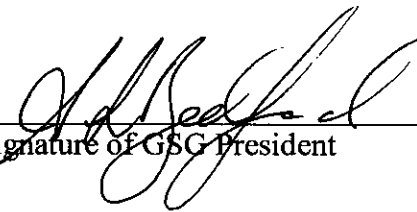
62 **Date and Time of Submission:** 5 October 2011
63

64 **Date of Presentation:** 21 October 2011
65

66 **Action(s) Taken:**
67

68 **UNANIMOUSLY APPROVED**

69 Decision of GSG President
70

71
72 
73 _____
74 Signature of GSG President

71
72
73 21 October, 2011
74 Date

1 **A Resolution Supporting Benefits Equality within the University System of**
2 **Maryland**

3
4 F 10-12-11 B

- 5
6 1. WHEREAS, the Student Government Association (SGA) represents the interests
7 of the diverse student body; and,
8
9 2. WHEREAS, the University of Maryland, College Park is the flagship institution
10 of the University System of Maryland (USM); and,
11
12 3. WHEREAS, all students should feel welcome at USM schools, regardless of race,
13 gender, disability, religion, or sexual orientation; and,
14
15 4. WHEREAS, for students to truly feel welcome, the USM should set an example
16 by treating all faculty and staff equally; and,
17
18 5. WHEREAS, the USM Board of Regents recently extended marital benefits to
19 same-sex couples that were married in jurisdictions which allow it, but did not
20 extend benefits to same-sex domestic partners; and,
21
22 6. WHEREAS, currently, same-sex couples who live in and whose partnership is
23 recognized by the state of Maryland are not eligible to receive marital benefits;
24 and,
25
26 7. WHEREAS, the University Senate Equity, Diversity, and Inclusion (EDI)
27 Committee has been charged with reviewing the basis and need for extending
28 benefits to same-sex domestic partners; and,
29
30 8. WHEREAS, the EDI Committee will recommend that coverage of system
31 benefits including sick leave, family and medical leave, and bereavement leave to
32 include same-sex domestic partners.
33
34 9. THEREFORE, BE IT RESOLVED that the SGA fully supports the EDI
35 Committee's decision; and,
36
37 10. BE IT FURTHER RESOLVED that the SGA stands firmly in support of full
38 recognition of same-sex couples within USM.

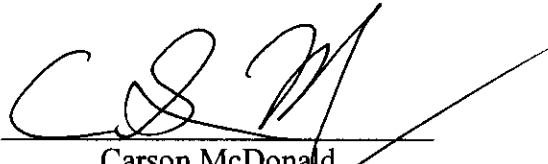
39 Sponsor: Andrea Marcin Commons Legislator
40 Co-Sponsor: Aaron Zaccaria Outlying Commuter Legislator
41 Committee: Student Affairs

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Vote: In Favor 26 Opposed 1 Abstentions 1

Therefore, the bill: PASSES FAILS

Speaker:


Carson McDonald

President:


Kaiyi Xie

Statement of Support:

Date: 09/26/2011

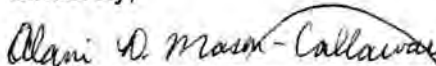
Dear University Senate Officers,

On behalf of The Peer Pride Program, we endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,


Alani D. Mason-Callaway


Mercedes "Myke" Hatcher-McLain

Statement of Support:

Date: September 28, 2011

Dear University Senate Officers,

On behalf of The One Project we endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
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Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,



Dian Squire
Assistant Director of Orientation
Coordinator, The One Project



27 October 2011

University Senate
1100 Marie Mount Hall
University of Maryland
College Park, MD 20742

Dear University Senate Officers,

On behalf of Hamsa, the Jewish LGBTQQIA (Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, and Allies) Undergraduate Student Organization, we endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's proposal to include sick leave, family and medical leave, bereavement leave, and tuition remission to same-sex domestic partners, and to include same-sex domestic partners in the University System of Maryland's policies on nepotism.

Equity and diversity are tenants of the University of Maryland and higher education more generally. Hamsa believes that equitable treatment of employees, including where it pertains to marriage benefits and same-sex domestic partnerships, should be a priority of the University, the University System, and the State of Maryland.

Please consider our endorsement as you review the Senate EDI Committee's recommendations.

Sincerely,

Hannah Spiro '12
President

Noah D. Drezner, Ph.D.
Assistant Professor &
Hamsa Faculty Advisor

Elishabet Lato '12
Vice-President

Date: 11/8/11

Dear University Senate Officers,

On behalf of Out in Science, Technology, Engineering, and Math at Maryland, we endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

As you know, LGBTQ members of this university serve as a vital part of our infrastructure. In seeking to support students through our organization, we have also recognized the lack of support that some members of our faculty, such as our previous organization advisor, have felt. This endorsement would empower those employees to continue to devote their time and energy to our amazing university. Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Andrew P. Sabelhaus
Chapter President, oSTEM @ Maryland
Mechanical Engineering, Class of 2012



Bowie State University
14000 Jericho Park Road
Bowie, MD 20715

Coppin State University
2500 W. North Avenue
Baltimore, MD 21216

Frostburg State University
101 Braddock Road
Frostburg, MD 21532

Salisbury University
1101 Camden Avenue
Salisbury, MD 21801

Towson University
8000 York Road
Towson, MD 21252

University of Baltimore
1420 N. Charles Street
Baltimore, MD 21201

**University of Maryland,
Baltimore**
620 E. Lexington Street
Baltimore, MD 21202

**University of Maryland Center
for Environmental Science**
P.O. Box 775
Cambridge, MD 21613

**University of Maryland,
Baltimore County**
1000 Hilltop Circle
Baltimore, MD 21250

**University of Maryland,
College Park**
College Park, MD 20742

**University of Maryland,
Eastern Shore**
Princess Anne, MD 21853

**University of Maryland,
University College**
3501 University Blvd. East
Adelphi, MD 20783

**University System of Maryland
Office**
3300 Metzgerott Road
Adelphi, MD 20783-1690

Statement of Support:

Date: 25 October 2011

Dear University of Maryland, College Park Senate Officers,

On behalf of the Council of University System Staff (CUSS), we endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
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- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Willie L. Brown

Chair, Council of University System Staff

Statement of Support:

Date: 11/04/2011

Dear University Senate Officers,

On behalf of the Frostburg State University Faculty Senate, we endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
- 4) The inclusion of same-sex domestic partners in policies regarding family and medical leave should be executed, paralleling policies mandated by Federal law.
- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,

Mary W. Mumper, PhD
Chair
Frostburg State University Faculty Senate

Date: 10/13/2011

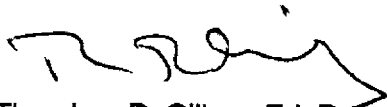
Dear University Senate Officers,

On behalf of the Salisbury University Faculty Senate, we endorse the University of Maryland University Senate Equity, Diversity, & Inclusion (EDI) Committee's recommendation that coverage of system benefits including sick leave, family and medical leave, bereavement leave, and tuition remission, along with policies on nepotism, be expanded to include same-sex domestic partners. We support the EDI Committee's effort in recommending the following:

- 1) USM Institutions should be authorized to offer the same tuition remission benefits for same-sex domestic partners enrolled at USM institutions that are available to spouses.
- 2) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use sick leave for illness or injury in the employee's immediate family.
- 3) Same-sex domestic partners should be included in the policies, as appropriate, which allow USM employees to use paid bereavement leave on account of the death of any member of the employee's immediate family.
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- 5) University policies related to nepotism should be extended to include same-sex domestic partners.
- 6) The expansion of system benefits to same-sex domestic partners may be considered a priority in the next go around of negotiations that will replace the Collective Bargaining Agreements set to expire on June 30, 2013 for the University of Maryland College Park. No changes to policies or benefits, such as those listed herein, for employees covered by collective bargaining may occur until after such negotiations take place, as appropriate.

Please consider our endorsement as you review the recommendations of the Senate EDI Committee this fall.

Sincerely,



Theodore R. Gilkey, Ed. D.
Faculty Senate President
Salisbury University