

POLICY

PATERSON
BOARD OF EDUCATION

ADMINISTRATION
1555/Page 1 of 3
Domestic Partnership

1555 DOMESTIC PARTNERSHIP

The Board of Education shall comply with the requirements of the New Jersey Domestic Partnership Act (Chapter 246, P.L. 2003). Persons in domestic partnerships, as defined in the Act, will be entitled to certain rights and benefits that are accorded to married couples under the laws of New Jersey, including statutory protections through New Jersey's "Law Against Discrimination," against various forms of discrimination based on domestic partnership status, such as employment, housing and credit discrimination, and other rights and benefits in accordance with the provisions of the "Domestic Partnership Act."

For the purposes of this Policy, "Act" or "Domestic Partnership Act" shall be the New Jersey Domestic Partnership Act. "Domestic partner" means a person who is in a relationship that satisfies the definition of a domestic partnership as set forth in the "Act."

Pension Benefit

The Domestic Partnership Act permits the Board to extend pension benefits to same-sex domestic partners, as defined in the Act, of its employees and retirees. The Board of Education adopted the required Resolution extending pension benefits to domestic partners and has filed the Resolution with the New Jersey Division of Pensions and Benefits. In accordance with the requirements of the Act, the eligible employee or retiree must obtain a *New Jersey Certificate of Domestic Partnership* (or a valid certification from another jurisdiction that recognizes same-sex domestic partners, civil unions or similar same-sex relationships) and submit a copy of the *Certificate of Domestic Partnership* when designating a domestic partner as a beneficiary.

Adoption and filing of this Resolution will automatically extend domestic partner benefits to all the Board's present and future retirees. The Board of Education is responsible for any additional pension costs to extend the benefits. Adoption and



POLICY

**PATERSON
BOARD OF EDUCATION**

ADMINISTRATION
1555/Page 2 of 3
Domestic Partnership

filing of the Resolution may be rescinded by the Board at some future date, but the pension benefit will be guaranteed to any employee or retiree with more than five years of service at the time of the action to rescind the benefit for as long as the employee or retiree is associated with the Board of Education. The Board's decision to extend pension benefits to domestic partners of its employees and retirees does not cover anyone who dies or transferred employment prior to the Board's adoption of the Resolution. Domestic partner pension benefits do not transfer to another employer if the new employer has not opted to extend pension benefits under the Act.

Extension of pension benefits shall be provided in accordance with the requirements of New Jersey's Domestic Partnership Act and employees and retirees must comply with the requirements of the Act to be eligible for the pension benefits afforded their domestic partners under the Act. In addition, the benefits provided to domestic partners in accordance with the Act are subject to all federal and State tax requirements.

Pension benefits provided by the Board in accordance with New Jersey's Domestic Partnership Act are provided by this Board on a voluntary basis and are not to impact or change any collective bargaining agreements within the school district. The Board of Education maintains the right to rescind the extension of pension benefits to domestic partners in accordance with the requirements of the Act.

Health Benefit

The Domestic Partnership Act permits a Board of Education that participates in the State Health Benefits Program to extend New Jersey State Health Benefits to same-sex domestic partners, as defined in the Act, of its employees and retirees. In accordance with the Act, the Board of Education has adopted the required Resolution extending the benefits of the New Jersey State Health Benefits Program to domestic partners of its employees and retirees and has filed the Resolution with the New



POLICY

**PATERSON
BOARD OF EDUCATION**

ADMINISTRATION
1555/Page 3 of 3
Domestic Partnership

Jersey Division of Pensions and Benefits. In accordance with the Act, the eligible employee or retiree must obtain a *New Jersey Certificate of Domestic Partnership* (or a valid certification from another jurisdiction that recognizes same-sex domestic partners, civil unions or similar same-sex relationships) and attach a photocopy of the *Certificate of Domestic Partnership* to the State Health Benefits Enrollment Application.

The Board of Education is responsible for all additional costs to extend the benefits of the New Jersey State Health Benefit Program to domestic partners of its employees and retirees. In addition, the benefits provided to domestic partners in accordance with the Act are subject to all federal and State tax requirements.

Extension of benefits of the New Jersey State Health Benefit Program shall be provided in accordance with the requirements of New Jersey's Domestic Partnership Act. Employees and retirees must comply with the requirements of the Act to be eligible for the health benefits afforded their domestic partners. Health benefits provided by the Board in accordance with New Jersey's Domestic Partnership Act are provided by this Board on a voluntary basis and are not to impact or change any collective bargaining agreements within the school district. The Board of Education maintains the right to rescind the extension of health benefits to domestic partners in accordance with the requirements of the Act.

Adopted: 19 March 2008

