



## Procedure 420-07 Domestic Partnerships

Sponsor: Human Resources

### **Purpose**

In an effort to support the diversity of benefit-eligible employees within the College, certain (not all) benefits will be offered to employees who have domestic partners of the same or opposite gender and who maintain a relationship that is equivalent to that of a spouse.

### **Definitions**

Domestic Partner A Domestic Partner (DP) is a legal or personal relationship between two individuals of the same or opposite gender who live together and share a common domestic life but are neither joined by a traditional marriage nor by a civil union and who meet the criteria established in this procedure.

### **Procedure**

#### Eligibility Requirements

1. Both individuals share the employee's permanent residence.
2. Both individuals have resided together continuously for at least twelve (12) consecutive months before completing an application for benefits and there is expectation that both will continue to reside together indefinitely as indicated by an affidavit filed at the time of enrollment.
3. Both individuals are eighteen (18) years of age or older.
4. Both individuals are competent to enter into a contract.
5. Both individuals are in a committed relationship and share responsibility for each other's common welfare.
6. The individuals are not related to one another by blood closer than would bar marriage in the State of Arizona.
7. Neither individual is married to any third party.
8. Neither individual is part of an existing domestic partnership or civil union with any third party.

#### Scope of Benefits

Domestic Partners are eligible for the following benefits:

1. Medical
2. Dental
3. Vision
4. Life & AD&D
5. COBRA – like coverage (only if the employee participates in COBRA)

Children of the Domestic Partner (this refers to children who are not the employee's own natural or adopted children but rather are the natural or adopted children of the Domestic Partner) will also be eligible for coverage in the benefits listed above.

#### Declaration of Domestic Partnership

The following documents will be needed to be completed and the criteria met in order to verify a domestic relationship:

1. Driver's license, birth certificate or any other legal document that verifies the age of the domestic partner.
2. Domestic Partner Affidavit certifying that the employee and domestic partner:

- a. are not a benefit eligible employee with another Northern Arizona Public Employee Benefit Trust employer; AND
- b. share the same permanent residence; AND
- c. have resided with each other for twelve (12) consecutive months and is expected to continue to reside with the employee indefinitely; AND
- d. have not signed a declaration or affidavit of Domestic Partnership with any other person within the last twelve (12) months; AND
- e. are not less than 18 years of age and is not a blood relative; AND
- f. are not legally married to or legally separated from another person; AND
- g. both individuals are capable of consenting to the domestic partnership; AND
- h. are financially interdependent in at least three (3) of the following ways (supporting documents must be submitted to Human Resources):
  - i. Holding one or more credit or bank accounts jointly.
  - ii. Owning or leasing permanent residence as joint tenants.
  - iii. Naming partner as a beneficiary of employee's life insurance or will AND being named by the partner as a beneficiary of their life insurance or will.
  - iv. Each agreeing in writing to assume financial responsibility for the welfare of the other (i.e., durable power of attorney).
  - v. Assuming joint liabilities (i.e. utility bills).
  - vi. Having joint ownership of significant property (i.e. real estate, a vehicle or boat).
  - vii. Marriage Certificate from a state that recognizes same sex marriages.

Domestic Partner Declaration of Tax Status form will need to be completed by the employee. This form indicates that the College has a legitimate need to know the federal income tax status of the DP relationship in order to correctly tax the benefit.

#### End of Domestic Partnership

A Domestic Partnership ends when:

1. One of the domestic partners dies.
2. Either one of the partners enters a marriage relationship expressly recognized by the State of Arizona.
3. A Notice of Termination of Domestic Partnership form has been submitted to Human Resources by one or both domestic partners. It will be the responsibility of the filing partner to provide a copy of the Notice of Termination of Domestic Partnership form to the non-filing party unless the partner has passed away.
  - a. Termination of a domestic partnership becomes effective upon filing of the Notice of Termination Domestic Partnership form.

If an employee wishes to file a subsequent Declaration of Domestic Partnership with a different partner, a Notice of Termination of Domestic Partnership form must be on file with the Human Resources Department and the same process and regulations above must apply to the new domestic partnership.

#### **References**

State of Arizona Domestic Partnerships Regulations

#### **Procedure History**

02/27/2013 Revised and Approved by College Council

#### **Legal Review**

None