

## HUMAN RESOURCES

## AP 7510 DOMESTIC PARTNERS

**References:**

Family Code Sections 297, 297.5, 298, 298.5, 299, 299.2, and 299.3

Eligible employees of the District may receive paid health (medical, dental, and vision) benefits for their domestic partners, upon written request, subject to any legal restrictions and the policies of the District's health care providers and carriers and subject to the requirements in this procedure. Eligible employees for purposes of this procedure are those regular employees who are currently eligible for health benefits under other existing policies, procedures, and/or employee handbooks and agreements.

For domestic partners of benefits-eligible employees to qualify for District benefits, a domestic partnership must be established and a written request for domestic partner benefits must be submitted to Human Resource Services (HRS). Filing a Declaration of Domestic Partnership with the state establishes eligibility, but is not required for eligibility under this procedure. All of the following requirements must be met to establish a domestic partnership absent a registered domestic partnership:

- **Both partners have a common residence:** The term "common residence" means that both domestic partners share the same residence. It is not necessary that the legal right to possess the common residence be in both their names. Two people may have a common residence even if one or both have additional residences. In addition, the eligible employee must provide evidence that the employee and person seeking domestic partner benefits have been sharing a common residence for at least twelve (12) continuous months without interruption. Domestic partners do not cease to have a common residence if one leaves the common residence but intends to return.
- **Both partners have joint responsibility for basic living expenses:** Both partners agree to be jointly responsible for each other's basic living expenses incurred during the domestic partnership. The term "basic living expenses" means shelter, utilities, and all other costs directly related to the maintenance of the common household of the domestic partners' common residence. It also means any other cost, such as medical care, if some or all of the cost is paid as a benefit because a person is another person's domestic partner. The term "joint responsibility" means that each partner agrees to provide for the other partner's basic living expenses if the partner is unable to provide for himself/herself.
- **Neither person is married nor a member of another domestic partnership.**
- **The two persons are not related by blood in any way that would prevent them from being married to each other in California.**

- **Both persons are at least eighteen years of age:** This is the only age requirement for District benefits eligibility.

- **Both persons are capable of consenting to the domestic partnership**

The District may require verification and/or evidence of compliance with this procedure. Domestic partners seeking benefits under this procedure shall be required to sign a District affidavit of domestic partnership. The burden of proof is on the eligible employee seeking health benefits for his/her domestic partner.

Eligible employees who do obtain health benefits for their domestic partners pursuant to this procedure shall immediately notify HRS in writing whenever the domestic partnership is terminated.

Also refer to the applicable collective bargaining agreement or employee handbook

Office of Primary Responsibility: Human Resource Services