EXECUTIVE ORDER NO. 2 -96

DOMESTIC PARTNERSHIPS

WHEREAS, Significant changes in our society have resulted in the creation of diverse living arrangements and family relationships;

WHEREAS, While all stable families contribute to the economic and psychological well-being of the community, non-traditional families, or domestic partnerships as many have come to be known, lack the support and benefits provided to traditional families;

WHEREAS, The City of Philadelphia has consistently recognized the importance of equality of treatment for all of its citizens. In particular, the Fair Practices Ordinance prohibits discrimination in housing, public accommodations, and employment on the basis of race, color, sex, sexual orientation, religion, national origin, ancestry, age, or handicap; and

WHEREAS, It is within the Mayor's power to provide by Executive Order for the equality of treatment with respect to leave and benefits of exempt employees of the Executive and Administrative branch who are members of domestic partnerships;

NOW, THEREFORE, I, Edward G. Rendell, Mayor of the City of Philadelphia, by the power vested in me under the Home Rule Charter of the City of Philadelphia, do hereby order and declare as follows:

SECTION 1. DEFINITIONS.

a. "Exempt Employee." An employee of an agency within the Executive/Administrative branch of City government who is exempt from civil service.

b. "Domestic Partner." A member of a Domestic Partnership.

c. "Domestic Partnership."

i. For purposes of leave and benefits other than health care benefits, a "Domestic Partnership" is:

A committed relationship between two individuals of the same gender, and who:

(1) are at least 18 years old and competent to contract;

(2) are not related to the other domestic partner by blood in any way which would prohibit marriage in the Commonwealth of Pennsylvania;

(3) are the sole domestic partner of the other person;

(4) have not been a member of a different domestic partnership for the past six months (unless the prior domestic partnership ended as a result of the death or marriage of one of the domestic partners);

(5) agree to share the common necessities of life and to be responsible for each other's welfare;

(6) share at least one residence with the other domestic partner;

(7) agree to notify the City of any change in the status of the Domestic Partnership; and

(8) file a statement with the Personnel Director in the form and manner required by the Administrative Board, including such evidence of compliance with (1) through (8) as the Administrative Board may require.

ii. For purposes of health care benefits, a "Domestic Partnership" is defined by the employee's health care provider, and the employee must meet the eligibility and proof of interdependence requirements of that provider.

SECTION 2. EXTENSION OF LEAVE AND BENEFITS TO DOMESTIC PARTNERS.

a. The Administrative Board shall promptly take whatever action is reasonably necessary to provide that the Domestic Partner of an Exempt Employee shall be entitled to the same health and leave benefits as a spouse of an Exempt Employee. Such action shall be made effective immediately upon its adoption, except that with respect to health care benefits, such action shall not be effective until all City health care providers have obtained all necessary regulatory approvals.

b. The Personnel Director is hereby requested to prepare and submit for approval of the Civil Service Commission and, if required, the Administrative Board, amendments to applicable Civil Service Regulations that will entitle the Domestic Partner of a

non-represented civil service employee to the same leave benefits as a spouse of a non-represented civil service employee.

SECTION 3. EFFECTIVE DATE.

This Order shall become effective immediately.

June 7, 1996
Date

Edward G. Rendell
Edward G. Rendell, Mayor

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ADMINISTRATIVE BOARD RULE #47

DOMESTIC PARTNERSHIPS

Purpose: To establish policies and procedures to implement the Mayor's Executive Order No. 2-96 in order to extend health and leave benefits to domestic partners of qualified City employees.

All terms contained in this Administrative Board Rule should be as defined in Executive Order No. 2-96.

In order to qualify for benefits under the provisions of the Administrative Board Rules, the employee and the employee's domestic partner must complete a statement in the form set forth in this Rule and provide proof of interdependence.. Such proof of interdependence must predate the filing of the required statement by at least six (6) months. Such proof must also include three of the following:

- Common ownership of real property or a common leasehold interest in property
- Common ownership of a motor vehicle
- Driver's license listing a common address
- Proof of joint bank accounts or credit accounts
- Proof of designation as a beneficiary for life insurance or retirement benefits, or beneficiary designation under a partner's will
- Assignment of a durable power of attorney or health care power of attorney

The statement will require the employee to attest to certain facts, including declaration of responsibility for each other's common welfare. Statements and supporting documentation shall be filed with the Personnel Department. The statement will also notify the employee that the employee may be subject to additional health care premium costs or potential personal tax liabilities.

Termination: A domestic partner may only terminate the domestic partnership by filing a termination statement with the Personnel Department. A domestic partnership is automatically terminated in the event that one of the partners dies or marries.

The Personnel Department will be responsible for providing forms for the establishment and termination of domestic partnerships For purposes of health benefits, the employee must also meet the established requirements of both the City of Philadelphia and the health care providers.

For leave purposes, the domestic partner of an employee shall be entitled to the same applicable leave benefits as a member of an immediate family of an exempt employee under the provisions of Administrative Board Rule 11.

AMENDED
EXECUTIVE ORDER NO. 2-96

DOMESTIC PARTNERSHIPS

WHEREAS, Significant changes in our society have resulted in the creation of diverse living arrangements and family relationships;

WHEREAS, While all stable families contribute to the economic and psychological well-being of the community, non-traditional families, or domestic partnerships as many have come to be known, lack the support and benefits provided to traditional families;

WHEREAS, The City of Philadelphia has consistently recognized the importance of equality of treatment for all of its citizens. In particular, the Fair Practices Ordinance prohibits discrimination in housing, public accommodations, and employment on the basis of race, color, sex, sexual orientation, religion, national origin, ancestry, age, or handicap; and

WHEREAS, It is within the Mayor's power to provide by Executive Order for the equality of treatment with respect to leave and benefits of exempt employees of the Executive and Administrative branch who are members of domestic partnerships;

NOW, THEREFORE, I, Edward G. Rendell, Mayor of the City of Philadelphia, by the power vested in me under the Home Rule Charter of the City of Philadelphia, do hereby order and declare as follows:

SECTION 1. DEFINITIONS.

a. "Exempt Employee." An employee of an agency within the Executive/Administrative branch of City government who is exempt from civil service.

b. "Domestic Partner." A member of a Domestic Partnership.

c. "Domestic Partnership."

i. For purposes of leave and health care benefits, a "Domestic Partnership" is:

A long-term committed relationship between two individuals of the same gender, who meet all eligibility criteria as established by the City of Philadelphia for its employees, and who:

(1) are at least 21 years old and competent to contract;

(2) are not related to the other domestic partner by blood in any way which would prohibit marriage in the Commonwealth of Pennsylvania;

(3) are the sole domestic partner of the other person;

(4) have not been a member of a different domestic partnership for the past six months (unless the prior domestic partnership ended as a result of the death of one of the domestic partners);

(5) agree to share the common necessities of life and to be responsible for each other's common welfare;

(6) share at least one residence with the other domestic partner;

(7) agree under penalty of law to notify the City of any change in the status of the Domestic Partnership; and

(8) file a statement with the Personnel Director in the form and manner required by the Administrative Board, including such evidence of compliance with (1) through (8) as the Administrative Board may require.

ii. For purposes of health care benefits, a "Domestic Partnership" is defined as set forth in this Executive Order, and the employee also must meet the eligibility and proof of interdependence requirements of the employee's health care provider.

SECTION 2. EXTENSION OF LEAVE AND BENEFITS TO DOMESTIC PARTNERS.

The Administrative Board shall promptly take whatever action is reasonably necessary to provide that the Domestic Partner of an Exempt Employee shall be entitled to the same and applicable health and leave benefits as a member of an immediate family of an Exempt Employee. Such action shall be made effective immediately upon its adoption, except that with respect to health care benefits, such action shall not be effective until all City health care providers have obtained all necessary regulatory approvals.

SECTION 3. EFFECTIVE DATE.

This Order shall become effective immediately.

August 5, 1996
Date

Edward G. Rendell
Edward G. Rendell, Mayor

ADMINISTRATIVE BOARD ACTION

The attached Administrative Board Rule #47 is hereby submitted for approval of the Administrative Board.

APPROVED:

Edward G Rendell
EDWARD G. RENDELL, MAYOR

NOV 18, 1996
DATE

JOSEPH C. CERTAINE, MANAGING DIRECTOR

DATE

Ben Hayllar
BEN HAYLLAR, FINANCE DIRECTOR

11.18.96
DATE

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