

APPENDIX L1
DOMESTIC PARTNERS: INFORMATION SHEET
(Articles 22, 22A, and 23 – Paid Benefits)
Foothill-De Anza Community College District

Effective July 1, 1993, Domestic Partner Benefits are available to the bona fide domestic partner aged over 18 of an unmarried District employee. Such benefits are available only to domestic partners who are not legally allowed to marry in the state in which they reside.

These benefits consist of medical, prescription drug, dental, and vision. Benefits will not be provided for dependents of the non-employee domestic partner.

Additional information regarding eligibility criteria may be obtained by contacting the Benefits Office.

Both the employee and the domestic partner shall attest to certain facts by:

- a) Completing and signing the Affidavit (a part of this Appendix), which includes an Affidavit of mutual responsibility. This Affidavit may have potential legal implications under California law, which has recognized that non marital cohabiting couples may privately contract with respect to the financial obligations of their relationship. If you have questions regarding the potential legal effects of signing the Domestic Partnership Affidavit, you should consult an attorney.

OR,

- b) Providing a copy of the completed, signed, and notarized State document, “Declaration of Domestic Partnership” (SEC/STATE NP/SF DP-1).

Domestic partner benefits are most likely taxable income unless the domestic partner is deemed to be a dependent under Internal Revenue Code section 152. Further, a domestic partner most likely does not have many federal rights involving benefits that spouses possess under ERISA, COBRA and the IRC. Again, an attorney should be consulted if you have any questions.

The District may, at its discretion, require supportive documentation satisfactory to the District concerning the eligibility criteria and assertions contained in the Affidavit.

The Administrator of any benefit plan at issue will be the sole and final judge of whether a domestic partner is qualified for benefits.