

Chapter 12B Equal Benefits Audit Standards

When an audit of your company's benefits is performed, you will be required to provide all benefit documentation. Use the standards below to determine if your benefit policies are administered equally. Where spouses, stepchildren, and an employee's extended family are referenced, each benefit policy must also include domestic partners, their children, and their equivalent family members. Domestic partner language must be fully incorporated into policies. Blanket statements regarding your company's general domestic partner policy in a separate part of the employee handbook are insufficient.

Benefit Type	Guidelines	Typical Documentation
Health Dental Vision Dependent Life Long-term Disability Long-term Care AD&D Business Travel Accident Personal Travel Accident	<p>Insurance confirmations must make clear that a Domestic Partner is any person who has a currently registered domestic partnership with any State or local governmental body. This applies to both same-sex and different-sex couples.</p> <p>Any requirements for proof of relationship and waiting periods must apply equally to domestic partnerships and marriages. For example, domestic partner registry certificates must be recognized as fully equivalent to marriage certificates.</p> <p>COBRA-like continuation coverage must be available to domestic partners and their children where continuation coverage is available to spouses and stepchildren. (Pre-tax benefits cannot be made equal.)</p>	<p>Acceptable: Basic Plan Document, Summary Plan Description, Evidence of Coverage, rider plus plan cover page.</p> <p>Unacceptable: letters from brokers, enrollment forms, invoices.</p>
Bereavement Leave Family Leave Family Medical Leave Military Caregiver Leave Military Exigency Leave Parental Leave Relocation and Travel Discounts/Facilities/Events	<p>Where the term "spouse" is used, the term "domestic partner" must be included.</p> <p>The definition of "immediate family" must be defined in the bereavement policy and if it includes in-laws or other family relationships established through marriage, the equivalent members of a domestic partner's family must be explicitly included. An example of a compliant definition is: <i>the employee's spouse or domestic partner; a parent, child or sibling of the employee, spouse or domestic partner; and the spouse or domestic partner of the employee's parents, children, or siblings.</i> Note: federal law does not prevent recognition of domestic partners or their children in the FMLA and military leave policies.</p>	<p>Employee handbook policies.</p>

Benefit Type	Guidelines	Typical Documentation
Retirement (Pension, 401(k), etc.)	In addition to demonstrating that anyone can be a beneficiary, plan documents must confirm that the distribution options are the same for spouse and non-spouse or domestic partner beneficiaries to the greatest extent permitted by law.	The cover page and distribution section of the Summary Plan Description or Basic Plan Document of your 401(k) or pension or savings plan(s). If you have a prototype plan, include the Adoption Agreement.
Employee Assistance Credit Union	Domestic partners/household members must be included where spouses are referenced.	A brochure or letter from the provider or the policy from the employee handbook.
Union	Separate documentation must be submitted for benefits administered through collective bargaining agreements.	A statement or other documentation from the union that confirms domestic partners are recognized.
Other	If your business offers other benefits, specify what they are on the 12B Declaration and provide documentation.	Varies; send an email to cmd.equalbenefits@sfgov.org to reach the Equal Benefits Unit.

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Equal Benefits Unit
Contract Monitoring Division
1155 Market Street, 4th Floor, San Francisco, CA 94103
Telephone (415) 581-2310

cmd.equalbenefits@sfgov.org

www.sfgov.org/cmd

<https://sfgov.org/cmd/how-comply>

For passwords and account support, contact the DTIS Help Desk.

628-652-5000

dtis.helpdesk@sfgov.org

For general registration questions, contact the User Support Desk.

415-944-2442

sfcitypartnersupport@sfgov.org

For changes to your Bidder/Supplier info contact, the Supplier Management Team.

415-554-6702

supplier.management@sfgov.org