



## Ohio Administrative Code Rule 3349-7-30 Domestic partner benefits.

Effective: October 28, 2010

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### (A) Purpose

To establish a rule to extend certain benefits to the domestic partners of eligible employees and the dependent children of eligible domestic partners.

### (B) Scope

This rule applies to all full-time faculty, administrative staff, unclassified hourly employees and classified civil service employees. This does not apply to student employees or graduate student employees.

### (C) Definitions

(1) Consult rule 3349-7-01 of the Administrative Code.

(2) "Dependent Children" under federal law refers to the biological child, stepchild, or adopted child of an employee who is under the age of twenty six and does not have their own insurance coverage through an employer. Pursuant to state law, a dependent child can also include the biological child, stepchild, or adopted child of an employee who is under the age of twenty eight and is: unmarried; a resident of Ohio or a full-time student at an accredited public or private institution of higher education; not employed by an employer that offers any health benefit plan for which the child is eligible; and not eligible for insurance coverage under medicaid or medicare. The university has expanded the foregoing legal definitions of "Dependent Children" to also include the biological child, stepchild, or adopted child of an employee's domestic partner, as long as that child meets the age-related criteria set forth above.

(3) "Domestic Partner" is a person who meets all of the following criteria:



- (a) At least eighteen years of age, competent to enter into a contract;
- (b) Is the sole domestic partner of an eligible employee and intends to remain so indefinitely, and is emotionally and financially responsible for each other's common welfare;
- (c) Not legally married to another individual;
- (d) Not related to each other by blood in a manner that would bar marriage in the state of Ohio;
- (e) Has been in the relationship with the eligible employee for at least six consecutive months or more, and has shared a residence for six consecutive months or more;
- (f) Has allowed at least twelve months to pass since the termination of any previous domestic partnership; and,
- (g) Has filed a domestic partner affidavit in accordance with university rule.

(D) Body of the rule

(1) The university hereby extends as outlined herein, the following benefits to eligible employee domestic partners and the dependent children of eligible domestic partners.

(a) Group insurance benefits (including vision benefits as January 1, 2011),

(b) Educational benefits, and

(c) Access to programs, (including employee assistance programs) services and facilities of the university,

(2) The university hereby also amends the bereavement leave, sick leave, and family medical leave act rules of the university to allow eligible employees to use such leave in support of the domestic partners they have identified in an affidavit of domestic partnership and their eligible family members.



(3) The university will apply the dependent qualification test under the internal revenue code and regulations to the benefits provided to eligible domestic partners and their eligible dependent children. The fair market value of any benefits extended to eligible domestic partners or their dependent children will be included as taxable income to the employee and will be reported on the employee's W-2 form.