

U of N's Legally Suspect Partner-Benefits Proposal

Manipulates, Undermines Traditional Marriage and Family

Find Out More and Express Your Concern.....

[link to column as follows]

Perhaps as soon as December 8 upcoming, the eight elected members of the University of Nebraska Board of Regents will vote on whether or not to expand eligibility for participation in the University system's employee-benefits program to include cohabiting partners of unmarried employees.

Under the current program, married employees can elect to have their spouses (and dependent children) covered by their employee benefits. Under the proposed, expanded program, spousal benefits now available to the husbands and wives of married employees—most notably taxpayer-subsidized group health-insurance coverage—would be extended to the cohabiting partners, whether of the same or opposite gender, of unmarried employees. Similarly, a new category of family coverage would be created for unmarried employees, their cohabiting partners and their dependent children.

The expanded coverage is being proposed and pushed by the president of the University of Nebraska system and the chancellors of the four campuses: Lincoln, Omaha, Kearney and the Medical Center. They say it is necessary to compete in the major marketplace for hiring faculty and staff.

In order to steer attention away from the idea of same-sex domestic partnerships, presumably, the administrators are proposing what they describe as an "employee-plus-one" category. It would enable any unmarried, U of N employee to extend his or her benefits coverage to a "qualifying adult." This would be someone, regardless of gender,

who is at least 18 years of age; who has resided in the employee's household for at least the past 12 months and intends to remain there indefinitely; and who is directly dependent upon, or financially interdependent with the employee, as documented.

As important as who can be a plus-one, there also are explicit exclusions from the category, i.e., blood relatives: parents, siblings, nieces, nephews, grandparents, aunts, uncles, cousins and children other than those eligible for coverage as dependents. Also excluded are renters, boarders, tenants and employees.

There are economic, legal, social and moral considerations why the so-called "employee-plus-one" expansion of employment benefits by the University of Nebraska is a matter of legitimate public concern, notwithstanding the significant importance of access to health-care coverage. The proponents' presupposition that the University of Nebraska will be better off if it provides for plus-one benefits deserves scrutiny.

University administrators have estimated the cost of adding the plus-one category as between \$750,000 and \$1.5 million per year. (That's the health-insurance cost; it doesn't include any cost of extending other, "soft" benefits.) Compared to current overall costs, it's modest. Nevertheless, it's not an insignificant amount of additional expenditure. Quite likely, it will be paid for by the-taxpayers.

In 2000, 70 percent of Nebraska's voting citizenry approved a two-sentence amendment to the Nebraska Constitution, which became Article I, Sec. 29: *"Only marriage between a man and a woman shall be valid or recognized in Nebraska. The uniting of two persons of the same sex in a civil union, domestic partnership, or other similar same-sex relationship shall not be valid or recognized in Nebraska."*

State actors and agencies, including the University of Nebraska, are prohibited by this part of the constitution from according recognition to any uniting of two persons of the same sex in a marriage-like relationship. The proposed plus-one benefits program excludes blood relatives, who can't marry an employee. Same-sex partners also can't marry an employee under Nebraska law, but they are not excluded. The plus-one proposal thus appears to be a pretext for providing state benefits to same-sex cohabitants of university employees. At best, it is constitutionally suspect and open to challenge.

Most significantly, making unmarried, cohabiting partners of university employees eligible for spousal-equivalent benefits, the same as if the parties were married couples, raises issues of social policy and morality. The idea manipulates marriage and family. It says, in effect, that marriage is no different than merely living together for some time with some level of economic interdependence, thus further undermining the institution that is still the foundation for family and for providing a healthy environment for children. In effect, the policy would say that marriage doesn't matter. Is that what Nebraskans want their tax-supported state university to stand for as a matter of policy and education? Does that serve the common good?

Instead of being just like other institutions, including those in the Big Ten, why not stand above them and compete for personnel on the basis of truth?

Nebraska citizens and taxpayers who are concerned about this proposal affecting marriage and family should express their concerns in brief messages to the members of the Board of Regents. And, sooner rather than later. The eight Regents are Tim Clare, Lincoln; Howard Hawks, Omaha; Chuck Hasebrook, Lyons; Bob Whitehouse, Omaha; Jim McClurg, Lincoln; Kent Schroeder, Kearney; Bob Phares, North Platte; and Randy

Ferlic, Omaha. Their e-mails are first-name initial and last name @nebraska.edu. Visit <http://nebraska.edu/board/board-members.html>.