

## **National LGBT Bar Association Guide to Employment Benefits Questions**

The following is an explanation of the employment benefits questions that are asked of all sponsors that participate in the Lavender Law<sup>®</sup> Conference & Career Fair.

***Does your firm/organization include gender identity/expression diversity training and have supportive gender transition guidelines in place?***

Diversity training can include seminars and training sessions targeted at helping transgender individuals feel welcome in a professional office space as well as training for all individuals in the office about the needs of co-workers who do not conform to gender norms.

***Does your firm/organization offer at least one health plan that includes at least one medical benefit for transition-related care (e.g., mental health services; pharmacy benefits with no transgender-related exclusions; medically necessary surgery, etc)?***

Transition-related health care includes, but is not limited to, hormonal therapy, sex reassignment surgery, and both medical and mental counseling services.

***Do employees that opt for domestic partner benefits receive a “gross up” in their annual salary to offset the added tax burden from the imputed value of the benefits?***

Opposite-sex couples receive tax benefits not afforded to same-sex couples on the federal and state level. Firms can help correct this discrepancy by augmenting compensation for individuals in domestic partnerships so that their disposable income matches what an opposite-sex couple would receive after taxes.

***Does your organization offer domestic partner bereavement leave comparable to benefits for opposite-sex married couples?***

Bereavement leave is paid leave that an employee is entitled to because of the death of a spouse. Is the time and nature of the bereavement leave offered to opposite-sex married couples the same as what is offered to same-sex couples?

***Does your organization offer domestic partner paternity/maternity leave comparable to benefits for opposite-sex married spouses?***

The amount of time off for maternity/paternity leave varies by organization. Does your organization’s maternity/paternity leave for same-sex couples equal that of the leave provided for opposite-sex married couples?

***If your organization offers a healthcare plan that covers nontraditional family planning, such as in vitro fertilization, are those benefits available to same-sex married spouses?***

Family planning includes, but is not limited to, forms of non-traditional conception like in vitro fertilization and intrauterine insemination.

***If your organization offers financial assistance to help defray the cost of nontraditional family planning by subsidizing adoption fees, are the benefits comparable to those offered for opposite-sex married spouses?***

In addition to medical costs firms can defray the cost of family planning by subsidizing adoption and surrogacy. Both adoption and surrogacy can be lengthy and expensive processes and with no other recourse available, same-sex couples greatly benefit from assistance from their employer.