

northwest

Sam Adams Drafts Equal Benefits Ordinance

Would bring city contractors in line with equal protection rules

by Sarah Dougher

Following the lead of progressive communities such as San Francisco, Minneapolis and King County, Wash., the city of Portland has before it a draft of an Equal Benefits Ordinance. The idea is supported by Mayor Tom Potter as well as Commissioners Randy Leonard, Dan Saltzman and Erik Sten.

If adopted, this ordinance would require certain city contractors to provide benefits to their employees with domestic partners equivalent to those provided to their employees with spouses.

In drafting this ordinance, the City Council has found that employee benefits routinely comprise between 30 percent and 40 percent of employee compensation and that discrimination in the provision of employee

benefits between employees with domestic partners and employees with spouses results in unequal pay for equal work. It would follow that because Portland prohibits discrimination based on marital status and sexual orientation that the city would take up contracting practices that would reflect this value.

The city extended health benefits to unmarried domestic partners of its employees 11 years ago. Seven years ago, the state and local governments were also required to offer spousal benefits to same-sex partners

of their employees. If adopted, the city of Portland would join 13 other jurisdictions that require equal benefits provisions for domestic partners in their contracting agreements with businesses that offer spousal benefits.

According to the Human Rights Campaign, the nation's leading lobby organization for queer rights, approximately half of Fortune 500 businesses and more than 7,500 employers nationwide offer domestic partnership benefits. Local employers such as Nike, Providence Health Systems and

Powell's Books offer domestic partnership benefits to their employees.

One glitch in the proposal, which is still in draft form, is that some health insurance providers, such as locally based Health Net, do not offer domestic partner benefits packages to companies with fewer than 25 employees.

In addition, it is not clear if the city provision will cover only same-sex domestic partners or if benefits must be extended to heterosexual unmarried domestic partners.

The Oregonian editorial board wrote Dec. 13 that Adams' proposal is "heavy-handed, coercive and counterproductive." *The Oregonian*, somewhat optimistically, assumes business owners would offer health benefits to their employees' same-sex partners if they could afford to do so. In addition, it suggests that adding equal benefits is the national trend and that businesses are doing it to attract a younger work force and to market their companies effectively to queer consumers. These suggestions conclude that the city is playing too large a role in social engineering and that the market forces should play themselves out as they will, because the trend is toward a version of equality anyway.

Roey Thorpe, Basic Rights Oregon executive director, said: "I believe that the Equal Benefits Ordinance encourages companies to offer equal benefits to domestic partners. It would reward companies that have already taken that positive step forward."

Thorpe also notes that many of the industries that would be affected by the ordinance are in the con-



Sam Adams, pictured here at a Basic Rights Oregon fund-raiser, wants to make city contractors accountable to civil rights laws.

struction field, where it can sometimes be hard to come out. "One of the positives that can come from an ordinance like this is that companies that think they don't have any GLBT employees find out that they do. It can be an educational experience for employers."

On Adams' interactive blog, senior policy director Jesse Beason says: "Our intent is to create a level of accountability that our contractors are indeed following through on city policies. We're committed to making this accountability as easy, and as flexible, as possible."

The ordinance has incited a lively debate on the blog, with detractors and supporters in relatively respectful dialogue on the role of city in implementing civil rights policy.

"We were waiting for the Legislature to act [on Senate Bill 1000] before making the draft public. We think it will create a larger market for domestic partnership insurance in Portland, and it is the most impact we are able to have at the moment," notes Beason. **10**

To take part in the debate, visit SAM ADAMS' Web site at www.commissionersam.com.



Adams' senior policy director, Jesse Beason, had a large part in researching and penning the Equal Benefits Ordinance.

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