Finding a Better Way: Salt Lake City Council’s Broadening of Employee Health Benefits

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Should Salt Lake City provide health insurance benefits—the same as available for married couples—to city employees who are not legally married but share a household with a partner? This is the question the City Council answered in 2006 in an innovative way that united policymakers with otherwise divergent points of views. This is the inside story, from my perspective, of what we did and how we did it.

The question of “gay and lesbian rights” has been percolating across America the past several years, with proponents seeing it as the latest front in the nation’s civil rights struggles, and opponents seeing it as an attack on traditional marriage and families. Sometimes the debate can be emotionally-charged and divisive.

Of course, there are a range of issues involved in the debate, ranging from same-sex marriage or other legal recognitions such as domestic partnerships, providing employee benefits, and protecting gays and lesbians from employment discrimination. Public support varies depending on the issue, with nearly unanimous support on protection from employment discrimination and only limited support for either civil unions or same-sex marriages.\(^1\)

Typically, the employee benefits issue is viewed through the lens of granting partners the same benefits that are given married couples. From this perspective, the issue can be emotional and divisive. Even in Salt Lake City, which is the most politically liberal jurisdiction in an otherwise conservative state, a poll by Dan Jones and Associates showed opinion fairly closely divided, with 54 percent approving the idea of giving partners the same benefits given to married couples and 42 percent opposing.\(^2\) However, there is a better way, and my colleagues on the City Council and I discovered it in late 2005 and enacted it in February 2006.

Rather than engage in divisive debates over this hot-button issue, we sought a way to address a real problem in a way that would be fair to every employee, and that would not be subject to being overturned by either a state court or the Utah State Legislature. In short, we didn’t want to make a political statement; We wanted to enact a plan that would bring consensus and that would address this issue practically and effectively.

In the summer of 2005, the Salt Lake County Council debated and ultimately defeated a proposal to extend health insurance coverage to domestic partners—gay or straight—of their employees, on a party-line vote of 4-5. According to newspaper accounts, it was an intense and emotional debate.

It was somewhat reminiscent of another intense debate several years earlier when the City Council hotly debated whether or not to adopt an anti-discrimination ordinance that included “sexual orientation” as one of the protected classes. A lame-duck council passed it December 9, 1997 on a 5-2 vote, only to have it overturned a month later (after newly elected council members had taken office) by a 4-3 vote (SL Council Bans, 1997; Anti-gay Bias, 1998) during a rancorous four-hour meeting. In 2005, only one member of the City Council was a veteran of those earlier battles, and yet the memories were still fresh of the turmoil of that time.

I had been thinking about the issue of employee benefits as it relates to unmarried partners for some time. Mayoral candidate Rich McKeowan, who was challenging Mayor Deedee Corradini, suggested it in 1995. And the Corradini campaign, or those supportive of it, distributed fliers attacking McKeowan on the issue in east-side neighborhoods shortly before the election (Corradini won by 523 votes out of 42,225

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1A Gallup Poll (505 sampled) conducted nationwide May 2-5, 2005 showed that 90% of Americans believe that “gays and lesbians should have equal rights in terms of job opportunities,” with only 7% saying they “should not.” A Gallup Poll (468 sampled) conducted nationwide March 18-20, 2005 showed that a plurality of Americans—44%—believe that gay and lesbian couples should not be allowed legally valid marriages or civil unions; 27% supported “civil unions” and 20% supported “same-sex marriages.” (As reported on “Gallup.com.”) A Pew Research Center poll of 1,405 adults in the U.S., conducted March 8-12, 2006, found that 51% opposed and 39% favored same-sex marriage. (Reported in Deseret Morning News, March 24, 2006.)

2Poll by Dan Jones and Associates for the Deseret Morning News, “Should nonmarried partners of city employees, including same-sex partners, be given health care benefits like the spouses of those currently married?” Salt Lake City residents—230 sample—registered 54% in favor, 42% opposed. Among all Utahns—414 sample—only 31% favored with 64% opposed. Poll taken Aug. 29-Sep 1, 2005; published September 12, 2005.