

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Office of Personnel**

District Personnel Manual Issuance System

DPM Instruction No. 12-18

This bulletin should be filed behind the divider for Part III of DPM Chapter(s) 12
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SUBJECT: Leave Procedures Under the Health Care
Benefits Expansion Act of 1992 – Domestic
Partnership

DATE: October 9, 2002

NOTE: This instruction supersedes DPM Instruction No. 12-17, dated July 1, 2002 (the term “domestic partner” in paragraph 5(c) has been replaced by the term “family member”).

1. Purpose

The purpose of this instruction is to provide guidance on the procedures for the granting of leave under the Health Care Benefits Expansion Act of 1992.

2. Authority

The Health Care Benefits Expansion Act of 1992 (D.C. Law 9-114; D.C. Official Code § 32-701 *et seq.*); the District of Columbia Family and Medical Leave Act of 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*); 4 D.C.M.R. 1600 *et seq.*, Family and Medical Leave; 29 D.C.M.R. 8000 *et seq.*, Domestic Partnership (49 DCR 5419; June 14, 2002); D.C. Official Code § 1-612.03(n); and all pertinent provisions of Chapter 12, Parts II and III of the District Personnel Manual (DPM).

3. Applicability

This instruction is applicable to individuals “first employed by the District of Columbia “ on or after October 1, 1987 (hereinafter referred to as “eligible employees”).

4. Definitions

- a. Domestic partner – A person with whom an eligible employee maintains a committed relationship and who has registered the domestic partnership with the District of Columbia Department of Health.

Note: DPM Instructions that are strictly procedural in nature have direct applicability only to agencies and employees under the personnel authority of the Mayor. Other personnel authorities or independent agencies may adopt any or all of these procedures or guidance materials for agencies and employees under their respective jurisdictions. [See DPM Chapter 2, Part II, Subpart 1, § 1.3.]

Inquiries: Policy and Program Development, Benefits Section (202) 442-9655

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- b. Committed relationship – A familial relationship between two (2) individuals characterized by mutual caring and the sharing of a mutual residence. (See also DPM Instruction No. 12-16 and 4 D.C.M.R. 1699.1.)
- c. Family member – (1) A domestic partner; or (2) the dependent child of a domestic partner, which shall include an unmarried person under 22 years of age, an unmarried person under 25 years of age who is a full-time student, or an unmarried person regardless of age who is incapable of self-support because of a mental or physical disability that existed before age 22. A dependent child of a domestic partner shall include a natural child, adopted child, stepchild, foster child, or child in the legal custody of a domestic partner. (See also DPM Instruction No. 12-16 and 4 D.C.M.R. 1699.1)

5. Provisions
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An eligible employee will be granted:

- a. Sick leave for the care of a family member as that term is defined above, in the event of a contagious disease only. However, a covered employee may be authorized the use of Family Leave as outlined in the D.C. Family and Medical Leave Act of 1990.
- b. Annual leave or leave without pay (LWOP) in the event the employee or the domestic partner of the employee is adopting a child, subject to the same guidelines outlined in the D.C. Family and Medical Leave Act of 1990.
- c. Funeral leave for not more than 3 days to make arrangements for, or to attend the funeral of the family member who dies as a result of a wound, disease, or injury incurred while serving as a member of the armed forces in a combat zone.

6. Effective Date

This instruction is effective immediately.

Milou Carolan
Director of Personnel