





City of Long Beach
Working Together to Serve

Office of Robert Garcia
Council Member, First District
Memorandum

Date: July 14, 2009

To: Honorable Mayor and Members of the City Council

From: Council Member Robert Garcia, First District 
Council Member Suja Lowenthal, Second District 

Subject: **Equal Benefits Ordinance**

Background:

Domestic Partnerships are used in many states to offer gay and lesbian couples rights and benefits equal or similar to those enjoyed by married heterosexual couples. However, some employers do not recognize these partnerships when awarding health insurance and other benefits to their employees, and no state or federal law compels them to do so.

Long Beach is a recognized leader in equal rights for the lesbian, gay, bisexual, and transgender (LGBT) community. We are host to one of the biggest PRIDE festivals in the world, we provide benefits for registered domestic partners, and we do not tolerate discrimination in hiring or promotions in city government and civil service. For these reasons and others, we are home to a thriving gay and lesbian community. However, we do not have an Equal Benefits Ordinance (EBO) relating to contractors and vendors, which means we leave ourselves open to financially supporting companies that may discriminate against gay and lesbian partnerships. Other cities, including Los Angeles, Sacramento, Oakland, San Francisco, Minneapolis, Miami Beach, Seattle and Olympia, Washington have EBO's in place, some for as many as 12 years, and have been successful in implementing and enforcing them. The State of California has an EBO as well.

It is time for Long Beach, known worldwide for LGBT equality, to join our neighbors by implementing this progressive policy.

Any EBO ordinance implemented may contain certain terms and qualifications to be feasible, such as:

- Applying only to contracts over a monetary threshold amount.
- Exempting contracts where the product or service is indispensable to the city or the public welfare and not available through a firm with equal benefits.
- Allowing the city manager to make exceptions in these and similar circumstances.
- Providing an “in lieu” provision in such cases, under which the contractor or vendor would provide additional compensation to employees until equal benefits are implemented.
- Exempting Taft-Harley Benefits Programs.

An annual report from city staff to the council should be produced to track the effectiveness and any challenges of implementing this ordinance.

Recommendation:

Request the City Attorney draft and return within 60 days an Equal Benefits Ordinance, requiring that contractors doing business with the City demonstrate they provide benefits for registered domestic partners that are equal to those provided for married spouses.