

SAME-SEX MARRIAGE POLICY CHANGES

Section 3 of the Defense of Marriage Act (DOMA) required that, in any federal statutes and rules, the word "marriage" meant only a legal union between one man and one woman as husband and wife, and the word "spouse" referred only to a person of the opposite sex who is a husband or a wife. On June 26, 2013, the Supreme Court ruled that Section 3 of DOMA is unconstitutional. As a result, the Office of Personnel Management (OPM) has decided to extend marriage-based federal benefits under its supervision and control to federal employees, annuitants, and their same-sex spouses who have legally married in a jurisdiction that permitted same-sex marriages, regardless of where they currently live or work. This change in OPM policy is deemed a **qualifying life event, which allows employees and annuitants 60 days – from June 26, 2013, through August 26, 2013, to make changes to their benefits.**

The Postal Service will extend marriage-based benefits to employees and their same-sex spouses who have legally married in a jurisdiction that permitted same-sex marriages, regardless of where they currently live or work, for purposes of family member definitions under Relocation, leave programs, and the Family and Medical Leave Act (FMLA). (For FMLA, with regard to a same-sex spouse who resides in a State that does not recognize same-sex marriage, the right to this leave is on an interim basis only, pending guidance from the Department of Labor.)

Federal Employees Health Benefits (FEHB)

For employees who already have Self and Family enrollments, coverage for legally married same-sex spouses and their eligible children under age 26 (including stepchildren) will be effective immediately after the employee notifies his or her FEHB carrier of the newly eligible family member(s). An employee may find the contact information for his or her FEHB carrier on the insurance card.

Employees who are not enrolled, or who are enrolled in a Self Only plan, or who want to change their coverage from one plan or option to another, will have until August 26, 2013, to make enrollment changes in order to cover their eligible same-sex spouses and children under age 26 (including stepchildren). Enrollment changes include changes from not enrolled to enrolled, from Self Only to Self and Family, and from one plan or option to another.

Enrollment changes will be effective on the first day of the first pay period after *PostalEASE* FEHB Worksheets are received by the H.R. Shared Service Center. The effective date of enrollment for a newly eligible child will be the beginning of the pay period for this qualifying life event; however, the effective date of coverage will not be any earlier than June 26, 2013 (this date would be for an employee who already has a Self and Family enrollment).

Employees who want to make an enrollment change must complete the 2012 *PostalEASE* FEHB Worksheet, which is found on LiteBlue at <https://liteblue.usps.gov>. Click on My HR, Benefits, Health Benefits, under the heading, "Be Prepared." The direct link to the Worksheet is:

<https://liteblue.usps.gov/humanresources/benefits/insurance/pdf/PostalEase%20FEHB%20Worksheet.pdf>

Employees can also request the Worksheet from the HRSSC on 1-877-477-3273, option 5; TTY 1-866-260-7507. Completed Worksheets **along with the required supporting documentation** must be mailed to:

HRSSC
ATTN: Compensation & Benefits
PO Box 970400
Greensboro, NC 27497-0400

Employees who do not want to make an enrollment change and who already have Self and Family coverage **must not** complete the FEHB Worksheet to identify an eligible dependent and cannot receive assistance on this from the HRSSC—they must notify their FEHB carrier directly.

Employees will also have the opportunity to make enrollment changes during open season later this year.

Federal Employees' Group Life Insurance (FEGLI)

All legally married same-sex spouses and their children are now eligible family members under the FEGLI program; therefore, employees may newly elect any and all coverage previously waived. All eligible family members are automatically covered under employees' existing Option C coverage.

Employees will have until August 26, 2013, to make changes to their life insurance coverage. FEGLI coverage is effective when the SF 2817, *Life Insurance Election* is received by the H.R. Shared Service Center (HRSSC) and the employee is in a pay and duty status.

Employees may request an SF 2817 from the HRSSC by calling 1-877-477-3273, option 5; TTY 1-866-260-7507. Employees may also find the SF 2817 at www.opm.gov/forms, complete the form online and mail it to:

HRSSC
ATTN: Compensation & Benefits
PO Box 970400
Greensboro, NC 27497-0400

Federal Employees Dental and Vision Insurance Program (FEDVIP)

All legally married same-sex spouses will now be eligible family members under a Self and Family enrollment or a Self Plus One enrollment. Employees will have until August 26, 2013, to make changes to their current FEDVIP enrollments. Employees who are not enrolled in FEDVIP will have the opportunity to enroll during open season but cannot enroll until then. Employees who are currently enrolled may also make changes during open season later this year.

Current FEDVIP enrollees may call BENEFEDS directly on 877-888-3337 to make enrollment changes.

Federal Long Term Care Insurance Program (FLTCIP)

All legally married same-sex spouses can now apply for long-term care insurance under FLTCIP. Same-sex spouses of employees will have until August 26, 2013, to apply for FLTCIP coverage with abbreviated underwriting. After that deadline, they will need to provide more detailed medical information as part of the application process. To apply, an employee's spouse may go online to <https://www.ltcfeds.com/usps> or call 1-800-582-3337; TTY 1-800-843-3557.

Retirement

Going forward, the same-sex spouses of retiring employees will be eligible for survivor annuities in the Federal Employees Retirement System (FERS) and the Civil Service Retirement System (CSRS).

Flexible Spending Accounts (FSA)

For both the Health Care FSA and the Dependent Care FSA, this is a qualifying event that allows an employee with a same-sex spouse to enroll or to change his or her contribution level if doing so would be in keeping with the event. Complete rules are found on pp. 14-15 of the *FSA Booklet* and any election must be made using the *PostalEASE FSA Worksheet*—these documents are available at:

https://liteblue.usps.gov/humanresources/benefits/accounts/benefits_accounts_flexiblespendingaccount.shtml?

An employee wishing to enroll or make a contribution level change must contact the Human Resources Shared Service Center (HRSSC) and enroll within 60 days—by August 26, 2013—by completing and submitting the *FSA PostalEASE Worksheet*, which includes a name, EIN, date, and signature block ONLY for use when an employee has a qualifying life event and/or as instructed by the HRSSC, **along with any supporting documentation that may be required by the HRSSC**, to:

HR Shared Service Center,
Attn: FSA/QLE, PO Box 970400
Greensboro NC 27497-0400

An enrollment or contribution level change takes effect the first day of the pay period following the pay period the enrollment or change is approved by the HRSSC. The maximum and minimum amounts that may be contributed are REDUCED on a prorated basis for the number of pay periods remaining in the plan year. For an enrollment, the employee must be otherwise eligible to enroll.

Relocation

Relocation benefits will be extended to employees and their same-sex spouses who have legally married in a jurisdiction that permitted same-sex marriages, regardless of where they currently live or work. This change is effective immediately.

Immediate family members – family members eligible for relocation benefits, among other things, must be: (1) part of the employee's household at the time he or she is notified of a transfer or reassignment; and (2) moving with the employee.

Family and Medical Leave Act (FMLA)

All legally married same-sex couples who are otherwise eligible for FMLA protected leave can now take such leave for a qualifying FMLA reason, regardless of where they live or work. With regard to a same-sex spouse who resides in a State that does not recognize same-sex marriage, the right to this leave is on an interim basis only, pending guidance from the Department of Labor. Information regarding FMLA is available at:

<http://blue.usps.gov/uspslaw/FMLACentral.htm>

Leave Programs

The Postal Service will recognize same-sex spouses who have legally married in a jurisdiction that permitted same-sex marriages, regardless of where they currently live or work, for purposes of family member definitions in the following leave policies: Sick Leave for Dependent Care, bereavement leave, and Annual Leave Sharing (donated leave).

July 10, 2013