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## **Rhode Island Married Same-Sex Couples: Advocating for Yourself in the Workplace**

Same-sex couples from Rhode Island who have gotten legally married should be treated as such by employers, insurers, government agencies, and other entities at home in Rhode Island.

To get recognition and respect, however, couples must present themselves as married to these institutions and ask for the protections and benefits to which all married people are entitled. One of the most important places for such advocacy is the workplace. At work, a person's married status often makes them eligible for benefits that flow to a spouse and children.

**Find out what benefits your employer provides to married employees.** You can obtain your company's benefits policy from the human resources department or from the employee who handles human resources matters. Benefits could include health insurance, sick leave to care for a spouse or in-law, bereavement leave upon the death of a spouse or spouse's family member, spousal access to an employer's resources or facilities, relocation expenses, travel expenses, disability and life insurance, credit union membership, and education and tuition assistance.

**Meet with your employer to ask for these benefits.** You can do this as an individual or together with other gay or lesbian employees who are married.

**Meet with your union rep to ask for the union's support.** If you belong to a union, ask the union to work with you in talking to your employer about ways these protections are already mandated by existing spousal benefits set forth in collective bargaining agreements.

**If your employer says no, contact GLAD.** Take notes when you meet with your employer, recording the reasons they are refusing you benefits. We can give you information and other assistance to continue your advocacy.

## **What if my employer says...?**

**The federal Defense of Marriage Act (DOMA) means that we cannot offer you benefits.**

DOMA has no relevance unless your employer is the federal government. Otherwise, employers have the ability, and may have the obligation, to extend benefits to married gay and lesbian employees.

**Rhode Island does not recognize these marriages.**

In fact, Rhode Island follows the longstanding legal tradition that states respect marriages legally celebrated in other jurisdictions. The Rhode Island Attorney General issued a statement in February 2007, stating that “whether based on Full Faith and Credit or on principles of Comity, Rhode Island will recognize same-sex marriages lawfully performed in Massachusetts as marriage in Rhode Island.” Though the Rhode Island Supreme Court issued a ruling excluding married same-sex couples from the jurisdiction of the Family Court to hear divorce actions, nothing about that decision altered those established recognition principles generally.

**We need to consult our company’s attorneys.**

GLAD would be happy to talk with or meet with company attorneys to provide information, guidance, and advocacy. Please give your human resources person our contact information.

**The bottom line is: If you ask your employer for benefits and are refused, contact GLAD. We will be monitoring the RI experience, and may be able to intervene directly with employers in some cases. Call us at 800-455-GLAD, or email us at [ccunningham@glad.org](mailto:ccunningham@glad.org).**

**We also want to know of your successes and positive experiences. Please let us know how it goes!**

*Updated: December 2011*