

RESOLUTION NO. 572

**A RESOLUTION GIVING A DOMESTIC PARTNER STANDING
UNDER THE CITY'S PERSONNEL POLICY AS IT RELATES TO EMERGENCY LEAVE AND
THE FAMILY AND MEDICAL LEAVE ACT (FMLA)**

WHEREAS, the City Council of Eureka Springs, Arkansas (the „Äö√Ñ√∫ City,Äö√Ñ√¥) created the Domestic Partnership Registry in 2007 with the adoption of Ordinance 2052 (Municipal Code 7.60 et seq.); and

WHEREAS, Ordinance 2052 defines a domestic partner relationship as one in which the parties:

- a. Are in a committed relationship of mutual support and caring which is intended to be of indefinite duration;
- b. Are each at least eighteen (18) years of age;
- c. Are the other's sole domestic partner and that neither one is married, a party to a civil union nor a domestic partner of anyone else; and
- d. Each considers himself or herself to be a member of the immediate family of the other.

WHEREAS, the City in 2007 also adopted the current City of Eureka Springs Personnel Policy Handbook (the "Policy") in which equal employment opportunities were extended without regard to race, religion, national origin, sex, sexual orientation, handicap or veteran status; and

WHEREAS, the City believes that in light of these actions it is appropriate that (1) the section of the City's Personnel Policy entitled EMERGENCY LEAVE shall also include Domestic Partner in the definition of immediate family and (2) the section of the City's Personnel Policy entitled FAMILY AND MEDICAL LEAVE ACT shall also include the care of a seriously ill Domestic Partner among the situations that would give rise to a leave request under the Family and Medical Leave Act (FMLA).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eureka Springs, Arkansas:

Section 1. That it is the policy of the City of Eureka Springs that the relationship of Domestic Partner as defined by Ordinance 2052 shall be given the same consideration and standing in determining an employee's rights and responsibilities under the EMERGENCY LEAVE section of the City's Personnel Policy as a member of the employee's immediate family.

Section 2. That it is the policy of the City of Eureka Springs that the care of a seriously ill Domestic Partner shall be included among the situations giving rise to a leave request under the Family and Medical Leave Act (FMLA).

Section 3. That these policies shall go into effect immediately upon the adoption of this Resolution.

PASSED AND APPROVED THIS 13th DAY OF DECEMBER, 2010

ATTEST:

APPROVED:

City Clerk-Treasurer Mary Jean Sell CMC

Mayor Dani D. Joy