

From: Labor Secretary Thomas E. Perez
Sent: Friday, August 9, 2013, at 12:44 p.m.
Subject: Implementing U.S. v. Windsor

“To all Department staff:

The Supreme Court’s recent decision in *United States v. Windsor*, which struck down the provisions of the Defense of Marriage Act (DOMA) that denied federal benefits to legally married, same-sex couples, represents a historic step toward equality for all American families. As the President directed, the Department of Labor has begun to coordinate with other federal agencies, including the Department of Justice, to implement this ruling as swiftly and smoothly as possible. I have directed Agency Heads within the Department to look for every opportunity to ensure that we are implementing this decision in a way that provides the maximum protection for workers and their families.

As part of this process, the Department of Labor updated several guidance documents today to remove references to DOMA and to affirm the availability of spousal leave based on same-sex marriages under the Family and Medical Leave Act (FMLA). This is one of many steps the Department will be taking over the coming months to implement the Supreme Court’s decision.

In addition, the United States Office of Personnel Management has announced that it will extend benefits to Federal employees and annuitants who have legally married a spouse of the same sex. The Department’s Human Resources Office has distributed information about benefits for legally married federal employees and their families. That information is available on LaborNet, <http://www.labornet.dol.gov/me/hr/news/volume3-issue3.htm>, along with answers to frequently asked questions regarding these benefits, <http://www.labornet.dol.gov/me/worklife/Benefits-and-Retirement.htm>. I encourage Department employees to review this guidance and take advantage of any new benefits that may be available for your families. Many of these programs require you to take action prior to August 26, 2013, so please review this information soon.

By extending unemployment compensation, health insurance and other important benefits to federal employees and their families, regardless of whether they are in same-sex or opposite-sex marriages, the Obama Administration is making real the promise of this important decision. We will continue to examine the full range of Department programs to ensure that we are fully implementing the Supreme Court’s decision. Please contact the Human Resources Office with any questions.

Tom Perez”