

**News from Louis Letourneau.**

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*With the dawning of partnership rights, [Louis Letourneau](#) urges you not to forget your work benefits.*

It's now almost 18 months since the Government implemented an EU directive outlawing discrimination in the workplace on grounds of sexual orientation, and in just 6 months from now, the first gay couples will be taking part in [Civil Partnership Registration](#) ceremonies. So, this seems like a good time to look at the issue of equality in the workplace.

I'd like to focus on the benefits available at work – dust off that *Staff Handbook* and see what you're entitled to. Of course, some employers are more generous than others but, open-handed or tight-fisted, they shouldn't, by law, treat their gay employees differently from their straight employees.

One of the most common benefits is an occupational [pension](#) scheme. There are several different types – many of the older ones are final salary schemes, which pay a pension based on a proportion of your salary for each year of service. They are excellent schemes, but problems can arise if you die. Do you know if your scheme would pay a pension to your partner? Some will, voluntarily, but there's no legislation to force them to do so. Even when Civil Partnership is introduced, they won't be compelled to pay a pension to a registered partner, although they must pay a pension to a widow or widower. The Civil Partnership legislation is supposed to entitle registered partners to exactly the same rights as married couples, but this is one area in which the Government needs to tighten up the law.

There's no problem with personal pensions or stakeholders, as these will normally pay the full value of your pension fund to the person you have nominated to receive it. You should be sure that you made a nomination and that it's up to date, as this has tax advantages as well as making clear whom you want to benefit – particularly important if you haven't made a Will.

A benefit often associated with pension schemes is 'death in service' (DIS) benefits. This is simply a form of [life insurance](#), covering you for an amount of up to 4 times your salary, that will pay out if you die while an employee. While gay men normally face problems getting insured without having to undergo an [HIV](#) test, acceptance for this form of insurance is often automatic for new employees. However, if you're a very high earner or don't sign up when you start the job but decide to do so later, you may be asked about sexuality. If that happens, you should seek specialist advice.

In most cases, you should be able to nominate your partner to receive the DIS benefits, and you should make sure that you do so, as this keeps them out of your taxable estate.

More generous employers also offer [income protection](#) to their employees through a group plan with an insurance company at no cost. This means that, if you were off work for a long period, the insurance company would pay you a replacement income to live on after your entitlement to sick leave from your employer expired. If the worst happened, and you could never work again, an income protection policy would pay you a benefit until your normal retirement age. The thing you might want to check with these policies is whether they would cover you for HIV/Aids. Some group plans will cover the condition, others won't.

And then there's private medical insurance. This is one of the most common employment 'perks' in the country. That's hardly surprising, as it's in your employer's interest as much as yours that you should get any treatment you need as soon as possible so that you can get back to work quickly. Most of these schemes offer cover to families as well, so you may be able to cover your partner, too. However, there are still some insurers who won't cover same-sex partners. Check your Staff Handbook and find out the position with your scheme.

Sadly, there are still some employers who deny the partners of gay employees the benefits that they provide for husbands and wives. They can get round the discrimination issue by saying that the benefits in question are only on offer to married partners and that they don't offer them to unmarried straight couples either. So, they say, they aren't discriminating on grounds of sexual orientation. This spurious defence will, we hope, no longer be possible once the status of registered Civil Partner is established, but there's still some way to go and the position is by no means clear, especially with pensions.

In the meantime, if your employer doesn't offer a pension or income protection or other financial benefits, you can arrange these privately yourself. But remember to see a specialist IFA (such as [Isis Financial Planners Limited](#)) who knows the discrimination gay men still face in the provision of financial services.

So that just leaves the question of what you and your partner will be wearing to the firm's midsummer dinner dance.

**Louis Letourneau, MA** is an experienced independent financial adviser (IFA), specialist in financial planning and wealth management. He founded Rainbow Finance in 1995 and has consistently challenged financial companies and Government on their attitudes to gays, lesbians and same sex couples and was instrumental in the Inland Revenue to changing its guidance notes to recognise unmarried couples in pension benefits. His work has also resulted in life insurance companies starting to relax the discriminatory underwriting criteria toward gay men and people living with HIV. He was a founder of the Rainbow Research Project which surveys and educates private pension schemes in how they recognise unmarried couples on death benefits. He was also a founder member of the Stonewall Immigration Group (which campaigned for Immigration rights for same-sex couples, achieving a significant victory in April 1997) and helped set up the gaypartners.org initiative with gay.com in early 2001, campaigning for same-sex partnership rights. He speaks regularly on national and local radio.

For further advice on [Wills](#), [Life Assurance](#), [Tax](#), [Investments](#) and [Pensions](#), contact Isis Financial Planners:

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