

Marital Status Bias Still Widespread

LOS ANGELES — City Attorney James Hahn, noting that 55 percent of adults in the City are unmarried, released a report March 29 calling for many reforms to combat "widespread and pervasive discrimination" against single people.

Hahn's Consumer Task Force on Marital Status Discrimination affirmed the 1988 findings of the City's Task Force on Family Diversity and tracked the status of some discriminatory policies over the past two years.

Most of the reforms Hahn's Task Force urged do not require legislation, since discrimination based on marital status is illegal in California. However, a variety of regulatory bodies, from the State Insurance Commissioner to the City Attorney's office, can make new inroads in enforcing the law.

Hahn released the report at a City Hall press conference attended by USC Law Center Professor Thomas F. Coleman, who chaired the 21-member citizens panel. The panel held three public hearings and drew on members' expertise and government agencies for statistical data.

While the report called for greater enforcement efforts, it also concluded that "efforts to end marital status discrimination against consumers can only be truly successful with the voluntary cooperation of the business community."

The Task Force did not venture into employment discrimination based on marital status.

In housing, the Task Force found that few cases of discrimination are being reported, although most cases involve unmarried

roommates and couples, Gay and non-Gay. Fair Housing Councils in Los Angeles received just 62 complaints of marital status bias and 19 reports of sexual orientation bias in housing over the past three years.

However, experts believe the reports are "only the tip of the

in the board and care industry. Among disabled persons, married and unmarried couples face like problems, including board and care facilities that seem to think disabled persons cannot legally have relationships.

In insurance, only the Automobile Club of Southern California

ices offered by Wells Fargo Bank were offered only to spouses. The Los Angeles City Employees Federal Credit Union disallowed an auto loan to a member and her fiancée because the fiancée was not a member. The credit union's by-laws limit membership to city employees and their spouses and

fees to unmarried couples or denying membership to both partners — appears widespread. Among those who have dropped discriminatory policies are the San Diego Zoo and the Greater Los Angeles Zoo Association and the Holiday Health Club.

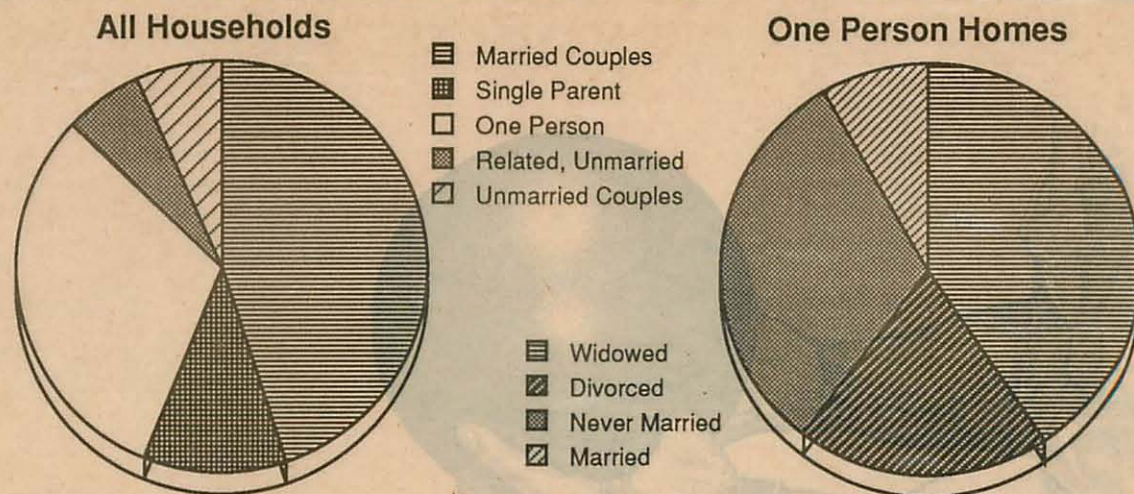
Among membership groups who the Task Force report said continue to discriminate are the Auto Club of Southern California, Chevron Travel Club, Porter Valley Country Club, Sports Club of Los Angeles, the Mid Valley Athletic Club, and the nation's largest membership association, the American Association of Retired Persons (AARP).

AARP's response to a Task Force inquiry may indicate AARP feels such bias is limited to Gay and Lesbian couples, although marital status discrimination against senior heterosexual couples is well documented and offenders include the federal government.

In health care, the Task Force found that blood relatives can be appointed conservators, setting aside all rights of an unmarried partner, and that they can do so without the court's knowledge or the unmarried partner's knowledge. The Task Force urged court rules and policy memoranda to require applicants for conservatorship to advise the court of the existence of any unmarried partner and require that unmarried partners be advised of conservatorship applications.

Nursing home residents, under current state rules, are assured privacy for visits by spouses, but not visits by unmarried partners.

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Married couples account for 45 percent of the households in Los Angeles. Other households are diverse.

Source: Los Angeles City Task Force on Family Diversity

iceberg" and the Task Force feels that, like race and child bias, Housing Council audits should be conducted on marital status and sexual orientation. In the audits, trained volunteers go out seeking housing and see what happens. The audits would require additional city funding.

Among seniors, discrimination seems to be against couples in general, married or unmarried. Since women often outlive men, "there is an abundance of 'female' rooms" and a "shortage of 'coed' rooms for couples, married or not"

appears not to discriminate based on marital status — although it continues to charge unmarried couples higher membership fees. Farmers and Allstate have filed suit to block a December 5, 1989 order prohibiting insurance discrimination based on marital status and Great Republic, SAFECO, and Blue Cross and Blue Shield all appear to discriminate based on marital status.

While there was little evidence of credit bias, evidence suggested it was widespread.

Four different examples of serv-

blood relatives.

"The Los Angeles Teachers Federal Credit Union and probably most other credit unions exclude unmarried partners from membership eligibility," notes the Task Force's report.

In recent years, some airlines have ended marital status discrimination, but the task force found that Continental and Pan American Airlines continue to discriminate in so-called "frequent flier" type programs.

Discrimination by membership organizations — charging higher

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Vague language in Medi-Cal rules permit an applicant living with a spouse to have greater assets and still be eligible than could an applicant living with an unmarried partner. Medi-Cal could administratively correct the bias.

Also, the Task Force found that programs such as In-Home Support Services (IHSS) and Supplemental Security Income discourage severely disabled adults from marrying and encourage invasions of privacy to determine whether unmarried opposite-sex relationships are sexual.

In matters of death, absent a durable power of attorney or a will with explicit instructions, blood relatives' wishes, not unmarried partners' wishes, must be followed by hospitals and mortuaries.

The Los Angeles County Sheriff's Department rules permit "emergency leave" for County jail prisoners to attend a funeral or visit a critically ill members of the inmate's immediate family — but that doesn't include the death or illness of an unmarried partner.

Over the coming months, nine Task Force members, headed by Coleman, will continue to function as an implementation committee to work with relevant agencies to develop and refine recommendations in the report for ending discrimination based on marital status.