

Dear friends,

As you may know, when Letty Russell died in 2007 the Pension Board refused to provide me with the survivor's pension benefits that would have been due to me if Letty and I had been a heterosexual married couple. Several years later, in 2012, the Presbyterian Board of Pensions changed their policy regarding same sex marriages or civil unions and began allowing individuals in these circumstances eligibility for survivor's pension payments. When this happened, I contacted the Board and asked if I could receive Letty's pension. I was told that this would not be possible as she died before the ruling was changed. I was surprised a year later, to discover the US Government had no problem allowing me to receive Letty's Social Security allotment, even though she had died earlier. The state, not the theological institution, showed understanding and compassion.

Here is the paragraph from the initial page on Letty Russell's contract of January 1, 1959:

"The member accepts this certificate with the understanding and on the express condition that the Service Pension Plan as now existing or as subsequently altered or amended is or shall then become a part of this Certificate as though originally stated in this Certificate of Participation."

My reading of the above quote says that as the pension is "altered or amended," same sex spouses would now be eligible to receive the pension of their deceased partner. The Presbyterian Church's ruling that makes same sex partners or spouses eligible for survivor's pension benefits does not state that the deceased partner need have died prior to the new ruling.

In 2012, I contacted everyone I knew, along with the groups acting on behalf of same sex partners, to see if others might fall into the same situation. No one knew of anyone else besides me.

Hans Hoekendijk was Letty's husband for five years until his heart attack in 1975. Had she predeceased him, he would have been a pension beneficiary. I was Letty's partner for 32 years and for the last 2 of those years we were able to become civil partners in the eyes of our state and we had become domestic partners 15 years earlier.

Letty worked in two East Harlem Presbyterian churches to earn her pension. New York City and New York State law provides that as her surviving civil union partner/spouse, I am entitled to receive survivor's pension benefits. But, because the Board of Pensions is headquartered in Philadelphia, and Pennsylvania law does not afford the same protection from discrimination to same-sex spouses in Pennsylvania as New York's city and state laws do, the Board of Pensions is trying to get away with not paying survivor's pension benefits to me—even though Letty worked in NYC to earn this pension.

The date set for the Settlement Conference in NYC is December 19th, 2016.

If you are interested and willing, you could write a letter or email to:

phaines@pensions.org
Patricia M. Haines, Executive Vice-President
Board of Pensions
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