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Update: The United States Department of Labor Issues Guidance Regarding Same-Sex Marriages and its Impact on Employee Benefits

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Two months ago, in the July 2013 edition of Porzio's Employment Law Monthly we discussed the United States Supreme Court's landmark decision in United States v. Windsor in which it struck down as unconstitutional Section 3 of the Defense of Marriage Act ("DOMA"). Section 3 of DOMA specifically defined "marriage" as a lawful union between one man and one woman as husband and wife. The Court held that Section 3 violated the basic due process and equal protection rights afforded under the Fifth Amendment of same-sex couples who are legally married under state law.