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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.