



STATE EMPLOYEE DEBT COLLECTION

Authority:	Vice Chancellor of Business Affairs
History:	Effective December 1, 1988; Updated July 1, 2006; supersedes former Administration Policy No. ACG1.90, "State Employees Debt Collection"
Source of Authority:	Office of State Budget and Management
Related Links:	State Employees Debt Collection Procedure
Responsible Office:	Comptroller, Human Resources

I. Purpose

Sets forth policies regarding the collection of debts owed to UNCW by state employees and debts owed to other state agencies by UNCW employees.

II. Scope

Applies to all employees, regardless of status (i.e., part-time, full-time, EPA, or SPA).

III. Policy

A. State Employee Debt Collection Act

This Act promotes payment of a debt owed the state by an employee, official, or legislator of the state through the threat of prescribed sanctions (e.g., discharge of employee from state employment) if the debt is not paid. Therefore, all state employees are expected to pay all debts to the state promptly.

B. Acceptable Actions Regarding Debt Collection to Avoid Termination of Employment

1. An employee who has elected in writing to allow not less than ten percent (10%) of the employee's net disposable earnings to be periodically withheld for application towards a debt to the state shall be deemed to be repaying the money within a reasonable period of time and shall not have his/her employment terminated

so long as the employee is consenting to repayment according to such terms.

2. The university shall allow the employee who, for some extraordinary reason, is incapable of repaying the obligation to the state according to the preceding terms to continue employment as long as the employee is attempting repayment in good faith under the employees present financial circumstances, but shall promptly terminate the his/her employment if the employee ceases to make payments or discontinues a good faith effort to make repayment.
3. An employee shall not be dismissed if the employee is pursuing administrative or judicial remedies to have the dispute or the issue resolved.

C. Right to Appeal Employment Termination

Any employee or former employee of the university whose employment is terminated due to non-payment of a debt shall be given the opportunity to appeal the employment termination to the State Personnel Commission.