

02/07/2008

Your Employee:  
SSN:  
DOB:  
CSE Case Number:  
Participant Number:

Attention Payroll/Benefits Department:

Enclosed are an original and one copy of both the Order/Notice to Withhold Income for Child Support (ONTW) OMB 0970-0154 and the National Medical Support Notice (NMSN) OMB 0970-0222. The ONTW requires you to deduct a portion of the earnings of the employee and forward this sum to pay a support obligation. To determine the total earnings deductions for support, carefully review the enclosed income withholding order(s) as the amount(s) you were previously instructed to withhold may have changed. There may be more than one ONTW enclosed if the employee has multiple cases.

The NMSN requires you to enroll the child(ren) listed in the notice into a group health insurance plan that is available through employment with your company. This includes deducting the appropriate cost for the health insurance premium from the earnings of your employee. You are required to enroll the child(ren) into a plan even if the employee refuses to cooperate in doing so. If coverage is provided, you must complete and return the enclosed Health Insurance Information (DCSS 0054) to the County Department of Child Support Services at the address that is printed on the form.

The ONTW and NMSN take effect immediately and will remain in effect until further notice. As an employer, you are required by law to comply with this order and notice. If you do not comply, you may be subject to sanctions or penalties including, but not limited to, those available under California Family Code sections (FC) 5241 and 3768. These sections specifically state that willful failure to comply may result in liability for the amount of support not withheld, including interest, as well as any health care costs incurred that would otherwise have been covered under the health insurance plan. These sections also state that such conduct by an employer may be punished as contempt of court under California Code of Civil Procedure section 1218.

In addition, you must withhold funds for support up to the maximum amount authorized by law in situations where the earnings that are subject to withholding are insufficient to satisfy all support obligations. Instructions for handling deductions are included as part of the ONTW. Instructions for the priority of withholding, are included as part of the NMSN. When FC section 5234 applies, you must give the identified copies to the employee whose name appears on the assignment within 10 days of your receipt of this letter.

