

Income Withholding Order FAQs

If I receive multiple orders for an employee am I still limited to withhold no more than 50% of the employee's net disposable income?

Yes. California Department of Child Support Services wage assignments are limited to 50% maximum withholding of the net disposable income (NDI). If an employee has multiple IWOs totaling more than 50% of his/her net disposable income, the employer may contact the state that issued the IWO or LCSA at (866) 901-3212 for assistance.

In CA, I can deduct 50% of my employee's disposable income; is it the same for other states? Generally, the maximum amount that can be withheld to satisfy an IWO is 50% of an employee's net disposable income regardless of the number of orders, or obligation amounts. Other states may calculate child support differently. We encourage you to contact the other state to verify.

If my employee's income varies every paycheck and they have multiple orders, how do I allocate the amount for each?

If all the orders are issued by California, the State Disbursement Unit will allocate the payments for you. You only need to be aware that you may not take more than 50% of the employee's net disposable income for any one pay period. If orders are issued by more than one state, contact us for additional information.

If I receive an income withholding order from CA and an order(s) from another state(s), do I still follow the 50% rule for CA?

Yes. You will follow the 50% rule for the CA withholding order. IWOs from other states must be honored and the payment sent to the address identified in the IWO. Follow the law of the issuing state. Instructions on the income withholding order will specify where to mail the payment. Please do not send payments ordered by other states to the California State Disbursement Unit (SDU).

Note: Wage-withholding regulations may differ from state to state.

My company's pay cycle is bi-weekly, but the amount listed on the withholding order does not match the total monthly amount.

The bi-weekly withholding calculation is based on the 26 bi-weekly pay periods in a year. The bi-weekly amount will not add up to the monthly amount, but will be made up with the extra payments received in months that have three pay periods. For your convenience, refer to the Income Withholding Order "Amounts to Withhold" based on your employee's pay cycle for amount to withhold.

My payroll company files all of my payroll taxes electronically, do they also need to submit child support payments electronically?

Yes, California laws require companies to submit child support payments electronically if the company files payroll taxes electronically.

Does Spousal Support also get sent to State Disbursement Unit?

Yes, all payments need to be submitted through State Disbursement Unit (SDU).

What do I do if payments were sent directly to the custodial party?

If your employee has a case open with a local child support agency (LCSA), have them contact our office to report the direct payment. Under state and federal law, employers are required to remit all California child support income withholding payments to the California State Disbursement Unit (SDU). For assistance in redirecting payments from individuals to the State Disbursement Unit (SDU), employers may call the SDU at (866) 901-3212 for assistance.

Am I allowed to charge a fee for withholding child support payments from my employee?

Yes. You may deduct \$1.50 from the employee's earnings for each payment made pursuant to the withholding order, in addition to the child support amount. Please note that employers conducting business outside of CA should check their state laws regarding fees for handling/processing child support payments.

Are we required to deduct child support when we receive an IWO that matches the employees SSN but not the name?

Contact our office as soon as possible for assistance and direction on how to proceed with the IWO. Do not withhold wages until we have verified the identification of the employee in question.

My employee is a custodial parent and is paying on two IWO's. Is this normal even if there are no arrears owed? Case records are confidential. We can only discuss a case as it relates to the employer's ability and/or obligation to process the IWO. Encourage the employee to contact our office directly for assistance.

Not all employees have internet access. Those that don't have are unable to obtain the Request for Hearing form that was previously provided in the IWO packet. How are employees going to know about the request for hearing?

Employers are required to provide the Request for Hearing to employees within 20 days of receipt of the IWO. Employers should download the form from the CA Child Support website and provide it to the employee. Employee may contact our office or visit us for assistance.

What should I do if an employee has multiple IWOs issued by California?

If an employee has multiple IWO's and the orders total more than 50% of his/her net disposable income, you only need to remember to deduct up to 50% of the net disposable income and submit payment to SDU. SDU will disburse the appropriate amount to each of the obligor's cases. If the child support requested is for the same child(ren), please contact our agency immediately.

Do I still need to provide an employee with a copy of the IWO if they were already terminated?

No. When an employee leaves your company, notify the LCSA as soon as possible. The IWO includes a Termination Notice that can be sent to the LCSA or call us at 714.901-3212.

I am already deducting and remitting payments. Why do I receive additional Order/Notices for this employee?

Sometimes, a new or amended Order/Notice has been obtained by the child support agency. Verify the court order number and confirm that the court order is the same as the previous Order/Notice. Ensure that the number and identity of the children, and the amounts ordered, have not changed from the previous Order/Notice.

When we receive an IWO it always has an employee copy; is the employee also sent a copy directly from the agency or is the agency relying on the employer to provide the copy to the employee?

The employer is responsible for providing a copy of the IWO to their employee within 10 days of receiving an IWO form (form OMB 0970 1054 or form FL-195). In addition, provide a blank Request for Hearing Regarding Earnings Assignment with information and instructions sheet